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Security Council

Sixty-fourth year

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Friday, 13 November 2009, 10 a.m.

New York

President:	Mr. Mayr-Harting	(Austria)
Members:	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Bonne
	Japan	Mr. Okuda
	Libyan Arab Jamahiriya	Mr. Gouider
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. Wolff
	Viet Nam	Mr. Hoang Chi Trung

Agenda

Briefings by Chairmen of subsidiary bodies of the Security Council

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by Chairmen of subsidiary bodies of the Security Council

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Brazil, Colombia, Cuba, India, the Islamic Republic of Iran, Liechtenstein, the Netherlands, New Zealand, Spain, Sweden, Switzerland, the Syrian Arab Republic and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear briefings by His Excellency Mr. Ranko Vilović, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; His Excellency Mr. Jorge Urbina, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004); and myself, in my capacity as Chairman of the Security Council Committee established pursuant to 1267 (1999) concerning Al-Qaida and Taliban and associated individuals and entities.

I shall first like to give the floor to Mr. Ranko Vilović, who will make a joint statement on behalf of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004). Thereafter, he will give a briefing in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism. I now give him the floor.

Mr. Vilović (Croatia): On behalf of the Chairmen of the three subsidiary bodies of the Security Council established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), which deal with the issue of terrorism, I would like to give an update on the continued cooperation among the Committees and their expert groups.

During the past six months, the Al-Qaida and Taliban 1267 Sanctions Committee, the Counter-Terrorism Committee (CTC) and the 1540 Committee and their respective expert groups have increased cooperation, as requested by the Security Council in recent resolutions pertaining to the three Committees, notably in resolutions 1805 (2008), 1810 (2008) and 1822 (2008).

The three Committees attach great importance to coordination and cooperation among their expert groups, namely, the Monitoring Team, the Counter-Terrorism Committee Executive Directorate (CTED) and the 1540 Committee experts. The Committees welcome the continuing efforts of the expert groups to develop common strategies on areas of common concern, to organize joint workshops, to coordinate their participation in conferences and joint country visits, and to exchange information on their activities. The Committees encourage their expert groups to further enhance their exchange of information and coordination with regard to capacity-building, assistance requests and the delivery of technical assistance activities. In that context, I would also like to recall that cooperation and coordination would be facilitated by the co-location of the experts in the framework of the Capital Master Plan.

The three expert groups have continued to implement the common strategy on dealing with non- or late-reporting States through exchanges of information and joint visits, when appropriate, and in assisting Member States in submitting their responses to the three Committees on their implementation of the relevant Security Council resolutions. Under that strategy, the three expert groups have jointly participated in two workshops organized by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime. One of those was a workshop for 11 States from the Middle East region

and the other was for 13 States from the Caribbean and Latin American region. An expert from CTED participated in the regional workshop for Central American States organized by the United Nations Office for Disarmament Affairs on the implementation of resolution 1540 (2004), which was held in Costa Rica from 8 to 10 September. Those workshops continue to provide an excellent opportunity for the three expert groups to assist Member States in understanding the differing but complementary roles and mandates of the three Committees.

The expert groups have continued to cooperate on issues regarding the implementation of relevant resolutions by States of the Pacific Islands Forum. Experts from CTED and the 1540 experts attended the subregional workshop on counter-terrorism, legislative initiatives and international cooperation held in Suva, Fiji, from 1 to 2 June 2009. They also attended the annual meeting of the Pacific Working Group on Counter-Terrorism, which was also held in Suva, on 3 June 2009.

In addition to those workshops, the three expert groups are exploring the use of common video conferences. The Committees believe that such workshops and interactive discussions with officials from capitals are very important tools for enhancing dialogue with Member States, to help improve understanding of the distinct, although connected, mandates of the three Committees and to assist Member States in the implementation of the relevant resolutions.

After presenting the common strategy to engage with international, regional and subregional organizations, entities and agencies, which is still under consideration, the Monitoring Team, CTED and the 1540 Committee experts have continued to work on a common approach to relevant international, regional and subregional organizations. The expert groups also continue to coordinate their visits to Member States, to explore whether those visits could be conducted jointly, and to coordinate their participation at relevant conferences. When an expert group does not participate in a visit, they exchange information on the Member State that is to be visited. In addition, the three expert groups also share their reports on their visits, whenever possible. Since the last joint meeting, Monitoring Team members have participated in one CTC visit, which was their fifteenth joint trip.

The three expert groups also continue to contribute to each other's work and coordinate it within the framework of the Counter-Terrorism Implementation Task Force (CTITF), which was established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system and to help implement the United Nations Global Counter-Terrorism Strategy. The expert groups contribute to the work of several CTITF working groups, and the Monitoring Team and the Counter-Terrorism Executive Directorate (CTED) have assumed leading functions.

In addition to the abovementioned activities, there are regular meetings of the expert groups in New York. Moreover, when CTC organizes briefings in the framework of its official meetings, the Monitoring Team and the 1540 Committee experts are also invited to participate. The Chairmen of the 1267 and 1540 Committees, the Executive Director of CTED, the Coordinator of the Monitoring Team and members of the 1540 Committee Expert Group attended the Eighth Meeting of the Heads of Special Services, Security Agencies and Law Enforcement Organization to discuss counter-terrorism matters in Irkutsk, Russian Federation, from 23 to 25 June 2009. The Chairmen and expert groups of the CTC and 1267 Committee participated in the open meeting of the 1540 Committee for comprehensive review of the status of implementation of resolution 1540 (2004), organized by the 1540 Committee together with the Office for Disarmament Affairs and held at United Nations headquarters from 30 September to 2 October 2009. The three Chairmen and respective expert groups also jointly participated in the International Workshop for National Counter-Terrorism Focal Points on the theme "Better linking national and global counter-terrorism efforts", which took place in Vienna on 12 and 13 October 2009. As more than one hundred representatives from Member States were present at that workshop, the participation of the three Chairmen was a useful opportunity to raise awareness about the mandates and current activities of the three Committees.

On the occasion of previous briefings, a comparative table has been issued to highlight the main aspects of the respective mandates and areas of competence of the three Committees and their expert groups. That table has served as a useful tool for Member States, as it has helped them to better

understand the specificities and complementarities of our work. The updated table has been posted on our respective websites and will be distributed today.

Terrorism and the proliferation of weapons of mass destruction to non-State actors continue to be a threat to international peace and security. Cooperation is a crucial element in the efforts to counter the threat of terrorism, including the threat from nuclear, chemical and biological weapons for terrorist purposes. The three subsidiary bodies of the Security Council and their respective expert groups are committed to continuing to cooperate and coordinate their work, within their respective mandates, in order to contribute to an effective and efficient approach within the overall United Nations framework and within the broader efforts of the international community. In this respect, the Committees look forward to receiving further guidance from the Council on areas of common interest in order to better coordinate counter-terrorism efforts.

The President: I thank Mr. Vilović for his briefing.

I once again ask the Permanent Representative of Croatia to take the floor to deliver a second statement, in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1373 (2001).

Mr. Vilović (Croatia): In my capacity as Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), I have the honour to brief the Council on the work of the Committee since the previous briefing, provided on 26 May 2009.

During the past six months, the Committee has pursued its activities in accordance with its programme of work. Last June, the Committee adopted and submitted to the Council an interim review of the Counter-Terrorism Executive Directorate (CTED), in which it assessed the assistance received from CTED in its efforts to promote and monitor the implementation of resolution 1373 (2001), with special emphasis on the areas identified in resolution 1805 (2008). The Committee also included recommendations on the future work of CTED.

Regarding the fundamental part of the Committee's mandate, I am pleased to report to the Council and to the wider membership that the Committee has finalized the analysis and adoption of the preliminary implementation assessments of all Member States except one, whose assessment should be adopted in the near future. This stocktaking exercise is a multi-year process that has required the continuous engagement of the Committee, in its various compositions, and the continuous expert support of CTED. I should like to commend all those involved in this effort. The cooperation of Member States has also been instrumental, and I call on them to remain committed to the dialogue with the Committee and CTED in this ongoing exercise.

In this context, let me remind the Council that stocktaking is carried out in stages, both at the level of three subcommittees chaired by France, the Russian Federation and Viet Nam, respectively — and at the level of the Committee as a whole. The Committee deliberates upon the recommendations prepared by CTED with respect to every Member State. The Committee may then request additional information on identified shortfalls in a particular Member State's implementation of resolution 1373 (2001) or invite the Permanent Representative to a meeting of the relevant subcommittee, at which the Member State may be reminded of its obligation to implement the resolution. Alternatively, the relevant subcommittee may ask why a particular Member State has been unable to respond to the Committee's communications, or it may encourage the Permanent Representative to explore avenues for CTED to acquire new updates or additional information. The Committee has already finalized 46 files within the framework of the current stocktaking exercise. More will be completed this year, and the current exercise will be completed in 2010. In this regard, I wish to stress that the Committee and CTED stand ready to assist Member States, wherever possible, in the preparation and submission of their responses and further information on their efforts to implement the resolution.

CTED has also prepared and submitted to the Committee an updated version of its annual survey on the implementation of resolution 1373 (2001) by Member States. This global survey is an assessment of the implementation of the resolution by Member States, broken down by region and subregion. It also draws conclusions about progress made in this regard and about any possible gaps in implementation in key areas, notably counter-terrorism legislation, counter-financing of terrorism, law enforcement, border control, international cooperation and human rights.

The global survey also contains priority recommendations, with respect to each region, for future action by the Committee. It is currently before the Committee and should be submitted to the Council before the end of 2009.

The Committee has continued to organize and conduct an intensive schedule of visits to Member States, with their consent. These country visits are a fundamental component of the Committee's efforts to monitor and promote implementation of resolution 1373 (2001). In accordance with the more flexible approach introduced under its revised organizational plan, CTED, acting on the Committee's behalf, conducts not only comprehensive visits aimed at analysing all aspects of a Member State's implementation efforts, but also shorter, more targeted visits that focus on one or two specific aspects of the resolution. The revised plan also calls upon CTED to conduct regional visits and missions aimed at analysing examples of good practice or addressing regional vulnerabilities.

Pursuant to this more flexible approach, the rate of visits has increased significantly, thereby enabling the Committee to engage more deeply with a wider range of States from all regions of the world. Over the past six months, for example, the Committee has concluded successful full-fledged or focused on-site visits to Australia, Azerbaijan, Bahrain, Ghana, the Libyan Arab Jamahiriya, New Zealand, Oman and Uzbekistan.

In September, the Committee initiated, on the basis of a CTED proposal, a series of thematic discussions of all major areas of implementation of resolution 1373 (2001). Background documentation for those discussions was prepared by CTED. The Committee has already held in-depth discussions on technical assistance and on international legal cooperation. Before the end of 2009, the Committee will discuss issues related to border security, arms trafficking, law enforcement and best practices in the implementation of resolution 1624 (2005).

The Committee and CTED have also worked to enhance their ongoing dialogue with Member States, donors and beneficiaries on the facilitation of technical assistance. In this context, the Committee continues to look for opportunities to match current and potential donors with recipients in order to enhance the dialogue between the donor community and recipient States and to further the implementation of resolution 1373 (2001). The Committee has, in particular, enhanced its cooperation with the Counter-Terrorism Action Group of the Group of Eight (CTAG) by meeting with local CTAG representatives within the framework of most visits and by promoting a broader overall dialogue between CTED and CTAG.

The Committee also maintains on its website a technical assistance matrix and a directory of assistance programmes. Corresponding to the Committee's request that CTED work to strengthen regional cooperation on counter-terrorism in South Asia, the Executive Directorate recently held two workshops in this region. First, acting jointly with the World Bank, it held a workshop for parliamentarians in Pakistan on the importance of legislation on combating the financing of terrorism. Secondly, acting together with donors and other relevant partner organizations, it facilitated a regional workshop for police and prosecutors on cross-border cooperation, held in Bangladesh.

In its dialogue with Member States, the Committee has continued to remind them that any measures taken to combat terrorism must comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law. In this regard, CTED ensures that there are relevant human rights references in all PIAs, that relevant issues are raised in the course of the country visits, and that outreach activities are undertaken with potential donors — including donors already engaged in capacity-building activities on a broader basis — to help them focus their work on enhancing institution-building and strengthening the rule of law.

The Committee has also continued to include in its dialogue with Member States discussion of their efforts to implement resolution 1624 (2005). Thus far, a total of 104 States have submitted reports to the Committee on their implementation of the resolution. This represents an increase since our previous report to the Security Council. The Committee will continue to encourage those States that have not yet done so to submit the relevant information to the Committee as soon as possible. The Committee also continues to encourage Member States to become parties to and implement the 16 international counter-terrorism instruments.

With respect to the United Nations Global Counter-Terrorism Strategy, the Committee and CTED continue to participate actively in and support all relevant activities of the Counter-Terrorism Implementation Task Force (CTITF). CTED co-chairs the Working Group on Integrated Assistance for Countering Terrorism and also participates in the work of two other CTITF working groups, which deal with countering-financing of terrorism and with human rights and counter-terrorism. In view of the close coordination between the staffs of CTITF and CTED, the Committee supports the co-location of the CTITF secretariat and CTED an a permanent basis. This would promote closer collaboration between the two bodies within the framework of their respective mandates, save resources, and ensure greater efficiency and effectiveness in their common work.

The Committee and CTED continue to engage actively with the other Security Council subsidiary bodies working on counter-terrorism issues, namely, the Committee established pursuant to resolution 1267 (1999) and its Monitoring Team, and the Committee established pursuant to resolution 1540 (2004) and its Group of Experts. As a result of two recent workshops for non- or late-reporting States, organized by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, four States were able to provide updates to the Committee on their implementation efforts, and two visited States were better prepared to receive the Committee's on-site visits. CTED has also continued to invite experts of the other two bodies, as well as other relevant United Nations entities and international and regional organizations, to join its visits to Member States. This practice continues to be highly valuable with respect to overall cooperation between the Committee and other counter-terrorism bodies, whether inside or outside the United Nations system.

The Committee, through CTED, has also been intensifying its work with international, regional and subregional organizations in an effort to broaden and deepen its constructive dialogue with those organizations and to enhance cooperation, information-sharing and exchanges of expertise. In the reporting period, the Committee has heard briefings by representatives of several relevant organizations and United Nations bodies, including the Director-General of the Organization for the Prohibition of Chemical Weapons, the President of the Financial Action Task Force and the United Nations High Commissioner for Human Rights.

Terrorism remains one of the major threats to international peace and security, and the Committee is a crucial instrument of the international community in its efforts to address this scourge. The work of the Committee greatly benefits from the constructive engagement of its members. Support from and cooperation with Member States remain a vital part of the Committee's work, with respect in particular to the stocktaking exercise, and notably the identification of the challenges faced by Member States in combating terrorism and of areas in which the Committee can help strengthen their capacities. I should therefore like to thank all Member States for their willingness to engage in constructive dialogue and for their essential contributions, which enable the Committee to support the Security Council in its efforts to respond to the threat of terrorism.

Finally, I should like to express the Committee's gratitude to Mr. Mike Smith, Executive Director of CTED, and his team for their invaluable assistance. I also greatly appreciate the continuous support provided by the Secretariat.

The President: I thank the Permanent Representative of Croatia for the joint statement he has delivered on behalf of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), and for his briefing in his capacity as Chairman of the Committee established pursuant to resolution 1373 (2001).

I now give the floor to Mr. Jorge Urbina, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

Mr. Urbina (Costa Rica): As Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), I am pleased to brief the Security Council on the main developments in the work of the Committee covering the six-month period since the last joint briefing on 26 May 2009 (S/PV.6128). The focus is mainly on the comprehensive review of the status of implementation of resolution 1540 (2004) and on the open meetings that were held in that framework from 30 September to 2 October 2009. The Committee also carried out other activities regarding outreach, assistance and cooperation with relevant organizations.

In response to a request made by the Security Council in resolution 1810 (2008), the Committee decided to conduct a comprehensive review and to report the outcome to the Council by the tentative date of 31 January 2010. The review is a process using the Committee as a forum for all States and relevant intergovernmental bodies to share experiences and express their views on various aspects of implementation of the resolution. The mandate for conducting the review, as presented to the Council in a modalities paper (S/2009/170), outlined three objectives: first, to assess the evolution of risks and threats; secondly, to address specific critical issues that have not yet been resolved; and thirdly, to identify possible new approaches for the implementation of the resolution.

In order to facilitate that task, the Committee invited inputs from the wider membership of the United Nations and relevant international and regional organizations, and identified eight specific elements to be examined with the benefit of substantive background papers prepared by the Committee's group of experts. The topics included: assessing the impact of the resolution, including through measures taken after its adoption, such as the establishment and enforcement of appropriate criminal or civil penalties for violations of export control laws and regulations; conducting a regional analysis of implementation; assessing existing examination tools and creating new ones to address gaps in implementation; evaluating, as appropriate, the impact of national implementation measures on individuals and due process standards; and developing methods for improving cooperation with individual States, international and regional organizations and relevant entities within the United Nations system. Special emphasis was placed on assessing the level of cooperation with the Committees established pursuant to resolutions 1267 (1999) and 1373 (2001).

During the three days of open meetings, comprising a general debate and three interactive thematic sessions, participants addressed the broader issue of risks and threats of the proliferation of nuclear, chemical and biological weapons and their means of delivery. The interactive sessions provided opportunities to debate specific issues emerging from the analysis of challenges and options for action, including those presented in the background papers. I would also like to mention the fact that, during the comprehensive review, a side event gathering representatives of relevant industries, academic institutions and non-governmental organizations, offered an overview of areas in which civil society can add value to official efforts to implement the resolution.

The broad participation during the comprehensive review included forma' statements on specific issues made by the representatives of 41 States and 21 intergovernmental organizations and other entities. On the basis of the sharing of experiences and the articulation of views and proposals made during the review process, the 1540 Committee is currently preparing an outcome document with recommendations to enhance the implementation of resolution 1540 (2004).

(*spoke in Spanish*)

Since May 2009, the representatives of the 1540 Committee and its group of experts have actively participated in 20 workshops and other meetings held outside United Nations Headquarters to promote the full implementation of resolution 1540 (2004). Those outreach activities were held throughout the world: in Africa and the Middle East; in South-Asia and East Asia, including the Pacific Island States; in Latin America and the Caribbean; and in Eastern and Western Europe. The level of representation varied in accordance with the types of issues included in a meeting's agenda and the extent to which aspects of the implementation of resolution 1540 (2004) were addressed.

The 1540 Committee has continued to participate in the following four types of outreach activities. First are regional workshops devoted specifically to resolution 1540 (2004) and organized by the United Nations Office for Disarmament Affairs (UNODA). One such workshop was held on the implementation of resolution 1540 (2004), focusing on capacity-building in terms of border and export controls; it was held for the Central American States in San José, Costa Rica, from 8 to 10 September. The Committee expresses its thanks to the Government of Costa Rica, as host; to UNODA, as the organizer; and to the European Union and the Governments of United States of America and Norway, as sponsors of the event.

Secondly, regional workshops have been organized in collaboration with other United Nations bodies. Following the experience in Africa in 2007 and

2008, the experts of the 1540 Committee cooperated with the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) and the Counter-Terrorism Committee Executive Directorate in organizing, together with the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC), two regional workshops on a common strategy for countries of the Middle East and the Caribbean. Those workshops, aimed at addressing the problems posed by submitting reports or other responses to the three Security Council Committees, were held in Abu Dhabi, United Arab Emirates, from 28 to 30 June and in Basseterre, Saint Kitts and Nevis, from 7 to 9 July. The Committee thanks the UNODC for its sponsorship of and role in organizing those events, as well as the Governments of the United Arab Emirates and Saint Kitts and Nevis for hosting the workshops.

Thirdly, regional workshops have been organized by Member States, in cooperation with the 1540 Committee. Among the new thematic outreach activities are the regional workshops on the implementation aspects of resolution 1540 (2004), held by Member States with the cooperation of the Committee's group of experts and the UNODC. The Government of Sri Lanka hosted a regional workshop from 23 to 25 June in Colombo, organized by the Government of the United States, in cooperation with the Office for Disarmament Affairs, on the implementation of resolution 1540 (2004) in South Asia, focusing specifically on border and export control issues. The Governments of France and the United Arab Emirates facilitated the holding of a regional workshop on 5 and 6 October in Abu Dhabi, sponsored by France's Foundation for Strategic Research and the Emirates Centre for Strategic Studies and Research. Its subject was the problems posed by the implementation of resolution 1540 (2004) in the Gulf region, with particular reference to measures to account for and guarantee the security of related materials, as referred to in operative paragraph 3 of the resolution. The Committee expresses its thanks to the sponsors, organizers and hosts of those workshops.

Fourthly, meetings have been organized by other organizations or by Member States. Most of the other conferences and workshops to which the Committee and its experts have been invited have addressed a variety of subjects of interest to the 1540 Committee. The subjects of the meetings have ranged from more general issues related to proliferation threats to more specific threats of nuclear, chemical or biological terrorism; from problems in proliferation financing to export controls and the prevention of illicit trafficking; and from the implementation of relevant international instruments by means of domestic legislation to the facilitation of assistance for capacity-building. The sponsoring organizations have included the Regional Forum of the Association of Southeast Asian Nations, the Caribbean Community, the European Union, the Financial Action Task Force, the League of Arab States, NATO and the Pacific Islands Forum, as well as the UNODC. The sponsoring or co-sponsoring Governments have included Argentina, Austria, Canada, Chile, China, Japan, New Zealand, the Russian Federation, Singapore, Switzerland, Turkey and the United States. The wide-ranging sponsorship of the workshops has provided new opportunities for the 1540 Committee and its experts to raise awareness about the requirements of resolution 1540 (2004) in various contexts and to initiate a network of relationships.

In addition to regular dialogue with workshop participants from individual countries, one event was held on the eve of a workshop in Chile at which the 1540 Committee experts held intensive consultations with officials from the host country on the issue of national legal frameworks.

Another aspect to be developed is the design of country-specific missions to facilitate States' implementation of resolution 1540 (2004), to include identification of priority areas and assistance requirements to facilitate implementation.

(*spoke in French*)

As encouraged under resolution 1810 (2008), the Committee is intensifying its efforts to develop its clearing-house function for channelling assistance to Member States. To that end, the Committee's working group on assistance met to outline a strategy on moving forward. By taking stock of requests for assistance, the Committee's experts have been authorized to engage in follow-up dialogue with the States concerned to encourage the submission of more developed and specific requests using the assistance template, as appropriate, as was done with the most recent requests.

The close cooperation developing among the 1540 Committee, the 1267 Committee and the 1373

Committee was outlined in the joint statement delivered on behalf of the three Committee Chairmen. We look forward to furthering those joint efforts, especially in engaging relevant intergovernmental organizations to enhance cooperation in the areas of common interest, such as information exchange and technical assistance. The cooperation of the 1540 Committee with other entities of the United Nations system is also important. In this regard, we recognize the special role of the Counter-Terrorism Implementation Task Force as a catalyst of cooperation and coordination in relevant areas.

As Chairman of the 1540 Committee, in October I visited three headquarters of international organizations in Europe. I had fruitful discussions with the Secretary General of the World Customs Organization in Brussels, which will serve as the basis for more detailed dialogue at the expert level. A meeting in The Hague with the Director-General of the Organisation for the Prohibition of Chemical Weapons resulted in a mutual understanding about the need to identify specific areas for collaboration.

My second visit to International Atomic Energy Agency headquarters in Vienna gave me the opportunity to participate in detailed discussions with senior officials from different divisions, in the context of the nuclear security programme of the Agency. An exchange of letters will outline the steps needed to build closer relationships. On 13 October, I met in Vienna with representatives of the Organization for Security and Cooperation in Europe to discuss cooperation with that regional organization.

The President: I thank Ambassador Urbina for his briefing.

I will now give a briefing in my capacity as Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

Ten years after the adoption of Security Council resolution 1267 (1999), the threat posed by Al-Qaida and the Taliban persists worldwide, and especially in South Asia. At the same time, over the years this threat has evolved considerably and we must ensure that the existing sanctions regime against Al-Qaida and the Taliban remains a relevant and effective tool in countering terrorism. The current review pursuant to resolution 1822 (2008) is an effective instrument to ensure that the Committee's consolidated list of individuals and entities associated with Al-Qaida and the Taliban remains dynamic and accurately reflects the current threat.

As the Council is well aware, in paragraph 25 of resolution 1822 (2008) the Security Council directed the Committee to review all the 488 names that were on the consolidated list at the date of the adoption of that resolution in order to ensure that the information is as accurate as possible and that the listings remain appropriate. The review process is one of the key priorities of the Committee and a main focus of its work.

In my last briefing to the Security Council in May (S/PV.6128), I outlined the procedure for review. Today, I would like to report on the progress achieved so far, as well as on the current status of the review process in the Committee.

As of today, the Committee has initiated the review of 422 names, which were subdivided into four groups, by sending these names to the respective designating States and States of citizenship and/or residence for review. The remaining 66 names will be sent to reviewing States in the coming days. Once all replies from reviewing States for a particular name on the consolidated list have been received, and following a one-month period in which each member of the Committee and the Monitoring Team can provide further input, the name is placed on the Committee's agenda. When reviewing names in a Committee meeting, each name is introduced by the Monitoring Team and the Committee subsequently conducts a thorough discussion of that entry. In particular, the Committee evaluates all available information and considers whether listings remain appropriate. It does so on the basis of the "associated with" criteria for listings set out in relevant resolutions. The Committee also considers updating the consolidated list and/or the narrative summaries.

During the review process, the need for further information or clarification occasionally becomes apparent, and the Committee and the Monitoring Team use that opportunity to engage with reviewing States in an effort to resolve any questions that have arisen. Such follow-up discussions reinforce the review process and also serve to improve the quality of the list.

At the time of my last briefing, the first five names had been placed on the Committee's agenda. As of today, the Committee has discussed a total of 71 entries. In 50 cases, the listing was confirmed to remain appropriate, while eight names, including well-known cases such as Vinck, Sayadi, Nada and Barakaat, have been de-listed as a result of their review pursuant to resolution 1822 (2008). For 13 names, the review is still pending as the Committee is of the view that further information is necessary for it to conclude its considerations.

In order to be able to successfully complete the review process by 30 June 2010, the Committee very much depends on the active cooperation and assistance of Member States. Prompt replies are crucial, since the review of a particular name in the Committee can be undertaken only after the replies from all reviewing States have been received. I would like to take this opportunity to thank all States that have provided the Committee with information, and I would also like to call upon all reviewing States to do their utmost to provide their valuable information in a timely manner.

It is my personal commitment to ensure that the review process is conducted seriously and thoroughly. The experience of the past several months has shown that all members of the Committee share this commitment and devote great efforts to this task, and I am grateful for that.

In the spirit of transparency, I intend to continue to regularly update Member States and the broader public about the progress of the review, including through periodic briefings, press releases and updates on the Committee's web page.

I now wish to say some words on the narrative summaries of reasons for listing. With the assistance of the Monitoring Team, the Committee continues to make narrative summaries of reasons for listing of all entries on the consolidated list accessible on its web site. Since the beginning of this year, a total of 164 narrative summaries have been approved for publication on the Committee's web site. The Monitoring Team has prepared the first drafts of another 294 narrative summaries, which are currently being reviewed by the designated States.

As of today, the consolidated list has 504 entries: 397 individuals — 255 associated with Al-Qaida and 142 associated with the Taliban — and 107 entities associated with Al-Qaida. Since my last briefing, the Committee has added to the list the names of five individuals associated with Al-Qaida. During the same period, the Committee approved the de-listing of nine entries — five individuals and four entities — of which eight were in the framework of the review. I would like to underscore that, apart from the review pursuant to resolution 1822 (2008), listed individuals and entities continue to have access to the focal point for de-listing.

Despite considerable progress, several challenges regarding the consolidated list remain. There are numerous entries that have very few identifiers and do not contain sufficient information to allow for the positive identification of the party concerned. For example, for a number of individuals there is no full name and no date of birth. For those entries, the application of the sanctions measures is very difficult.

Another challenge concerns deceased persons. The Committee knows about several individuals who are reported or believed to be dead but who are still on the list. In 27 cases the information about the death is published on the consolidated list. The Committee is currently discussing the possibility of a more flexible procedure for the de-listing of deceased persons where no assets are identified. At the same time we are addressing the question of how best to ensure that the remaining assets of deceased persons will not fall into the hands of other listed persons. The review is an ideal opportunity to check those entries, add additional identifiers and remove from the list names for which listing is not considered appropriate anymore.

In addition, in the last years, the sanctions regime established under resolution 1267 (1999) has also encountered increasing criticism by a number of States and individuals because of procedural and human rights concerns, especially regarding the right to be heard and the lack of a review mechanism of, or possibility to appeal against, the Committee's decisions. National and regional courts are confronted with a growing number of lawsuits. Currently there are about 30 court cases around the world. The Committee is aware of those challenges and, as mentioned in resolution 1822 (2008), is committed to continue improving its procedures in order to introduce more elements of fairness and transparency in placing individuals, groups and entities on the list and for removing them, as well as for granting humanitarian exemptions.

I would also like to draw attention to the ninth report of the Analytical Support and Sanctions Monitoring Team (S/2009/245) and the Committee's position on the recommendations contained therein, which was submitted to the Security Council in August and has been posted on the Committee's website (see S/2009/427). In particular, the Committee focused great attention on recommendations on how it might improve the fairness and transparency of its procedures, as well as on those recommendations seeking to enhance the rapid dissemination of information, required for the effective implementation of sanctions measures. The Committee believes that the implementation of these recommendations can further improve the credibility, effectiveness and efficiency of the sanctions regime.

The tenth report of the Monitoring Team (S/2009/502) was submitted to the Committee at the end of July. The Committee is currently considering the Team's latest 21 recommendations and will, in due course, submit a report to the Security Council with the Committee's position vis-à-vis those recommendations.

Following the practice of previous Chairmen of the Committee, I held an informal open briefing for all interested Member States on 18 June. That briefing offered an excellent opportunity to interact informally with Member States, who are the Committee's most important partners in improving implementation of the sanctions measures.

On 28 October, the Committee met with Mr. Martin Scheinin, United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The members of the Committee had a constructive exchange of views with Mr. Scheinin on issues related to the fairness and clearness of the Committee's procedures, in particular regarding listing and de-listing.

Since my last briefing, I have made two trips in my function as Chairman of the Committee. In June 2009, upon invitation by the Russian Federation, I participated in the eighth Meeting of Special Services, Security Agencies and Law Enforcement Organizations, held in Irkutsk, Russian Federation. On 8 and 9 October, I visited the European Union institutions in Brussels, Belgium, where I held consultations regarding the implementation of the sanctions measures by the European Union and its 27 member States. The visit was an excellent opportunity to discuss the challenges that the implementation of the sanctions regime is currently facing in European Union member States, in particular following recent rulings of the European Court of Justice.

Following my visit to Brussels, I also participated in an international workshop of national counter-terrorism focal points which took place in Vienna, Austria, on 12 and 13 October. The conference was attended by more than 100 representatives from Member States and representatives of about 40 national and international organizations, and it provided a useful opportunity to increase awareness about the work of the Committee.

I would also like to take this opportunity to reiterate that the Committee welcomes the Security Council's encouragement, set forth in paragraph 30 of resolution 1822 (2008), for Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues or for voluntary briefings on their efforts to implement the sanctions measures. The Committee is ready to listen to ideas and concerns and looks forward to continuing its cooperation and dialogue with all Member States.

Before concluding, I would like to take the opportunity to thank the members of the Monitoring Team, and in particular the Team's coordinator, Mr. Richard Barrett, and the secretariat of the 1267 Committee for their invaluable contribution to the work of the Committee, especially in the light of the enormous additional workload created by the review process and the drafting of narrative summaries.

Since I last briefed the Council, the review of the consolidated list pursuant to resolution 1822 (2008) has begun to bear fruit: not only, as I said, have eight names been removed from the list as a direct result of the review, but the review has also led to the improvement of the quality of a number of entries remaining on the list. This exercise has served to refocus the commitment and energy of reviewing States, which have responded to a mammoth task with both seriousness and enthusiasm.

The full implementation of resolution 1822 (2008) constitutes an important stage of the Committee's work, and I believe that the current review process will also induce the Committee members to look at existing procedures and practices

in a new light and to consider further steps towards both improving due process and strengthening the regime. It is essential to continue to improve the Committee's procedures in order to make the 1267 sanctions regime a stronger and more effective tool. The successor resolution to resolution 1822 (2008), which is due at the end of this year, will provide the next opportunity to take further steps towards ensuring fair and clear procedures, improving the working methods and thus strengthening the regime. It is to be hoped that the new resolution will seek to address the current challenges of the regime and reflect some of the lessons learned during the review. We fully count on the support of all Member States involved as the Committee moves on to the next stage of its work.

I now resume my functions as President of the Security Council.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

I shall now give the floor to members of the Council.

Mr. Heller (Mexico) (*spoke in Spanish*): Mr. President, I would like to thank you and the Permanent Representatives of Croatia and Costa Rica for your detailed briefings on the activities carried out by the three Security Council Committees, as well as for the joint briefing on cooperation among them.

The progress that has been made in the area of coordination and cooperation among the three Committees since May is well known, especially with respect to their expert groups. However, Mexico believes that there is still much that we can do to improve cooperation among the three Committees themselves, respecting of course the scope of their respective mandates. On the 1373 Committee — the Counter-Terrorism Committee — we would like to express our satisfaction at the progress that has been seen in the stocktaking exercise, more specifically the joint efforts of the Executive Directorate and Committee members with respect to the Preliminary Implementation Assessments. We reaffirm our support with a view to a successful conclusion in 2010 of the process under way.

We also thank the Executive Directorate for the global survey on the implementation of resolution 1373 (2001) by Member States, which was recently submitted to the Committee. We are certain that its consideration by the Security Council will contribute significantly to identifying the progress achieved and the challenges that remain in moving towards the full and consistent implementation of the 1373 regime.

Mexico is especially pleased at the thematic debates being held within the Committee, and we commend the Committee Chairman for the impetus he has given to these debates. In our view, dialogue between members of the Committee and the experts of the Executive Directorate is necessary to foster better understanding of the various aspects of the implementation of resolution 1373 (2001). Given the multifaceted nature of international terrorism, the struggle against this scourge must be strengthened in an integrated manner. Thematic debates will, without a doubt, contribute to that goal.

Mexico should like to reiterate that the facilitation of the assistance that the Committee provides to all States through its Executive Directorate should always include an aspect related to the strengthening of the rule of law. Ensuring that those responsible for implementing the obligations contained in resolution 1373 (2001) do so in a manner which pays due attention to the law, and in particular to human rights, will lead to the strengthening of the international counter-terrorism regime. Legitimacy and effectiveness are not mutually exclusive; on the contrary, they go hand in hand.

With respect to the 1267 Committee on Al-Qaida and the Taliban, Mexico too wishes to express its gratitude for the work carried out by the Chairman of the Committee and his team. We also express our appreciation of the efforts of the Analytical Support and Sanctions Monitoring Team. Progress made in the review process established under resolution 1822 (2008), as well as the updating and publication of the narrative summaries, are significant achievements. The efforts to transform the consolidated list into a dynamic instrument have started to yield very satisfactory results.

There are still, without a doubt, a number of obstacles yet to be overcome, many of which are

discussed in the briefing we have just heard. However, we are convinced that the genuine progress we have made should serve as an impetus for us to continue our efforts towards a more transparent regime that pays more attention to the fundamental principles of legality, including due process. The upcoming review of resolution 1822 (2008) offers us a fine opportunity which we cannot miss.

With regard to the activities of the 1540 Committee, Mexico welcomes the open debate which took place from 30 September and 2 October, in the context of the comprehensive review on the implementation of that resolution. The debate presented a welcome opportunity for greater interaction between members of the Committee and the rest of the membership — in itself a praiseworthy event. The number of delegations that participated in that debate and the quality of their statements demonstrated the importance that they attach to the fulfilment of the complex obligations derived from resolution 1540 (2004). During the comprehensive review process, not only did we identify the progress achieved and the challenges that remain, but we also began to address new themes. For example, the Committee dealt with the impact of the measures adopted for the implementation of the resolution on individuals and due process. This is of fundamental importance for guaranteeing that measures adopted in this context are in keeping with the obligations of States to fully respect human rights.

Mexico believes that the 1540 Committee should now begin to study proposals that were made during the open debate so that it can present a set of specific recommendations to the Security Council which would help to promote better implementation of resolution 1540 (2004). In particular, Mexico believes that there are important opportunities for improving the Committee's tasks in the area of assistance to States in order to help build their national capacity to implement resolution 1540 (2004).

In a more general sense, I should like to acknowledge once again the excellent efforts shown in the promotion activities carried out by the 1540 Committee jointly with the Office for Disarmament Affairs, in particular through the holding of regional workshops. Mexico had the opportunity to participate in the workshop held in Costa Rica mentioned by the Chairman of the 1540 Committee. These workshops are a very useful tool for promoting better understanding of the obligations under resolution 1540 (2004). There is no doubt that this cooperative approach taken by the Committee in its work should continue.

World public opinion is aware of the grave threat posed by terrorism to international peace and security. Fighting it while maintaining full respect for international law, in particular for human rights, is not only a legal and moral imperative, but is also key to ensuring the future success and full effectiveness of the counter-terrorism regime, in which the Security Council plays a crucially important role.

Mr. Wolff (United States of America): I should like to thank each of the Chairmen for their briefings. Their dedicated leadership is central to the effectiveness of the 1267, 1373 and 1540 Committees. Today we have an opportunity to focus on the accomplishments of the three Committees over the past several months.

The United States supports the important role the United Nations plays in reinforcing national and regional counter-terrorism efforts. As President Obama said in his address of 23 September to the General Assembly,

> "[The United States has] set a clear and focused goal: to work with all members of this body to disrupt, dismantle and defeat Al-Qaida and its extremist allies — a network that has killed thousands of people of many faiths and nations and had plotted to blow up this very building." (*A/64/PV.3, p. 9*)

Ambassador Mayr-Harting, the United States appreciates the leadership and personal commitment you have displayed as Chair of the 1267 Committee. We also commend the work of the Analytical Support and Sanctions Monitoring Team, which has played a vital role as an independent and objective fact-finding body. Countering the threat posed by Al-Qaida and the Taliban remains one of the most important challenges facing this Council. Without the efforts of Member States to work collectively, the world would be much more vulnerable to terrorist attacks.

What can we do to ensure that the 1267 regime remains a vital and effective multilateral tool to respond to this threat? First, we can reaffirm the international community's commitment to full implementation of the 1267 measures. The 1267

regime can only function well if States actively participate in the regime, such as by proposing new names for listing. Secondly, we should continue our efforts to ensure that the consolidated list is as accurate and up-to-date as possible, ensuring that our procedures for imposing sanctions are fair and clear. Resolutions 1735 (2006) and 1822 (2008) introduced new measures to help the Committee confirm the accuracy of the list. The Committee has worked to implement what is perhaps the most significant measure of resolution 1822 (2008). The review of every name on the consolidated list by June 2010 will continue in the coming months. The United States is committed to ensuring that that review is meaningful and is working with Member States to finish the review on time.

Thirdly, we should continue our efforts to ensure that the sanctions are applied in a fair and transparent manner. Resolution 1822 (2008) and its predecessors introduce significant enhancements to ensure fairness. In the coming weeks, the Council will negotiate a new resolution to renew the mandate of the Monitoring Team of the 1267 Committee and will take the opportunity to enhance the regime and to improve our ability to counter the Al-Qaida and Taliban threats. The United States believes that the new resolution should take additional steps to ensure that the process for listing and de-listing individuals is as fair and transparent as possible. We believe that there is room to improve the way in which the 1267 Committee decides to list individuals and how it considers requests from those seeking to be removed from the list.

Regarding the Counter-Terrorism Committee (CTC), I would like to thank Ambassador Vilović for doing an exceptional job of guiding the Committee's work. Ambassador Vilović fostered greater efficiency in the Committee's work. As this is the last time that he will report on his Chairmanship, we wish him well and thank him for his leadership.

The United States welcomes the significant improvement in the performance of the Counter-Terrorism Committee Executive Directorate (CTED) under the leadership of Mike Smith. We are pleased to see more engagement by CTED outside of New York in capitals and with experts in the relevant ministries on the ground. That is where the United States would like CTED to place even more emphasis. We applaud CTED's work in South Asia and we encourage CTED and the wider United Nations to explore similar opportunities in North Africa.

The United States welcomes efforts to develop a more holistic United Nations counter-terrorism programme that is more integrated with the wider United Nations effort to promote international peace and security. That involves working with States around the world to build the capacities needed to confront a range of interrelated transnational security challenges, including terrorism. That effort involves not just the Security Council, but also the General Assembly and other relevant United Nations bodies. In that context, the United States looks forward to further participation of the Security Council Committees and their expert groups with the Counter-Terrorism Implementation Task Force. We welcome the recent visit by United Nations High Commissioner for Human Rights Ms. Pillay to the CTC and her constructive recommendations for strengthening existing approaches to underscore the role of human rights in the fight against terrorism in the work of the CTC and the CTED.

Regarding the 1540 Committee, I would like to take a moment to praise Ambassador Urbina for his leadership and enthusiasm in guiding the work of that important Committee. As Chair of the 1540 Committee, Ambassador Urbina has promoted greater transparency and supported a range of ideas to make the Committee's work more effective and relevant. Since the Ambassador too is making his last appearance in that capacity today, we wish him well and thank him for his leadership. He will leave behind a Committee with a strong mandate and a clear vision.

In the six months since those three Committees addressed the Council, the world has seen a growing interest in the work of the 1540 Committee. With the unanimous adoption of resolution 1887 (2009) on 24 September, this Council sent a loud and clear message that resolution 1540 (2004) is an essential tool for building the non-proliferation regime. Resolution 1887 (2009) affirms the need for full implementation of resolution 1540 (2004), welcomes the work that the 1540 Committee has done to date on funding mechanisms, and reinforces the Security Council's commitment to ensuring effective and sustainable support for the Committee's activities, including capacity-building. Within a week of adopting resolution 1887 (2009), the Committee conducted its comprehensive review of the status of implementation

on resolution 1540 (2004). That three-day event offered an inclusive forum in which all States and relevant intergovernmental bodies could share experiences and express their views on various aspects of implementation of the resolution.

The success of the 1540 Committee lies in its ability to move forward with its work programme to fully implement the provisions of resolution 1540 (2004). We urge the Committee to streamline the assistance request process in order to make requests more transparent and to ensure that requests are answered in a timely and efficient manner. As part of that effort, the United States is committed to the establishment of a voluntary fund to help provide the support and expertise necessary to facilitate implementation of resolution 1540 (2004).

In conclusion, regarding all three counter-terrorism related bodies, there needs to be more cross-fertilization among them. Good practices in one should be adopted more regularly by the others. That does not happen often enough. We would especially like to commend the successful outreach efforts of the 1540 Committee, including through the unprecedented three-day open meeting that the Committee organized this fall as part of its comprehensive review, as well as its successful efforts to reach out to civil society and to involve it in the Committee's work. All the Council's counter-terrorism related committees should remain mindful of the need to enhance the transparency of their work and make it more accessible to the wider United Nations community, national actors, regional organizations and civil society. We encourage further engagement by the three Committees with Member States on a broad of range of issues to ensure that the Committee's work is fully understood and relevant to Member States' own efforts to combat terrorism.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I thank my fellow Chairmen for the briefings on the work of their Committees. In my capacity as Permanent Representative of Costa Rica, I would like to make some brief comments on the work of the three Committees.

With respect to the 1267 Committee, Costa Rica believes that the effective use of selective sanctions is a useful tool of the Security Council to tackle the threat of terrorism. For that reason, it has been a priority for our country, as a member of the Council, to strengthen the legitimacy, the credibility and the effectiveness of the sanctions regime established in accordance with resolution 1267 (1999) through measures that help the sanctions regime to be more consistent with the international standards of due process, international law and the respect for human rights.

Last year, an important step was taken through the adoption of resolution 1822 (2008), which includes various innovative elements enabling progress in the area of transparency and clearer and fairer procedures, including the publication of narrative summaries and a review of all the names on the consolidated list. In that regard, we endorse and commend the commitment of the Chairman of the 1267 Committee, Ambassador Mayr-Harting, in implementing that review, and we recognize his particular interest in that process in producing a more dynamic and realistic list.

The increasing number of trials around the world seems to confirm the need to provide the regime with an independent apolitical review mechanism that would come from within this Council, not from judicial, regional or international bodies outside it. With that in mind, Costa Rica has worked with Germany, Denmark, Liechtenstein, the Netherlands, Sweden, Switzerland, Belgium, Finland and Norway to produce a working document with a number of options to improve the due process within the sanctions regime. We urge the Security Council and the membership of the Organization, in general, to consider those options, in particular with a view to the resolution that we are due to negotiate next month to renew the sanctions regime.

With respect to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, the work of the Counter-Terrorism Committee and its Executive Directorate are important elements of the efforts of the United Nations to combat terrorism. We would like to express our gratitude to Ambassador Ranko Vilović and Mr. Mike Smith for their leadership of the Committee and the Executive Directorate, respectively. In our view, it is especially important to guide the efforts of the Committee in the direction of strengthening its work with international, regional and subregional organizations, as well as the practice of holding informal meetings with representatives of Member States in order to identify whether any technical assistance is necessary, and of promoting national capacity-building.

We also welcome the fact that visits by the Executive Directorate are carried out with a flexible approach, adapted to each State, and that during each visit it is emphasized that all measures adopted by Member States to combat terrorism should comply with human rights standards, international humanitarian law and the law on refugees. Costa Rica would like to see that a human rights expert is involved during every visit, and that more resources are allocated to this area.

I have just a brief comment on the 1540 Committee, which I have had the honour to chair for the past two years. I would like to emphasize how important Costa Rica felt it was to conduct the comprehensive review of the status of implementation of resolution 1540 (2004). During the review, international, regional and subregional bodies of Member States, as well as academic and industrial organizations, non-governmental and private-sector organizations, had the opportunity to present their comments, make suggestions and assess progress in implementing the resolution. During this exercise, six meetings, open to Member States, were held, three of them in an interactive format. The change in perception of the work of the Committee was confirmed, and we hope these meetings contributed to that. What initially was seen as something imposed by the Council and exceeding the powers granted it by the Charter is now seen as part of a broad process of international cooperation aimed at achieving a common goal.

The conduct of the comprehensive review, particularly the open meetings, is an example of the importance of greater transparency and inclusiveness in the working methods of the Council and its subsidiary bodies. We were honoured to coordinate the Committee and its expert group during this unprecedented exercise. However, the real value of innovations in the working methods of the Council and its subsidiaries, as has been shown throughout its history, is that they should become standard practice, and we hope that the Security Council will repeat this kind of exercise in the future.

Sir Mark Lyall Grant (United Kingdom): I should like to thank Ambassadors Urbina and Vilović, and you, Mr. President, for today's briefings.

International terrorism remains one of the principal threats of our time. The appalling attack on United Nations personnel in Kabul on 28 October was a tragic reminder of the threat faced daily around the world by the Organization and its personnel. We offer our condolences to their families and friends.

We welcome the progress made by the Counter-Terrorism Committee under the leadership of Ambassador Vilović and with the strong support of Mike Smith and his team. The current stocktaking exercise is an opportunity for dialogue with States whose implementation of resolution 1373 (2001) is inadequate. This is not just a bureaucratic exercise. It should be used to focus on specific challenges identified by the Counter-Terrorism Committee Executive Directorate (CTED). Linked to this, preliminary implementation assessments should be made more user-friendly, so that they can better focus technical assistance. We are pleased that focused visits have given CTED greater flexibility and allowed it to conduct more and better targeted visits, focusing on the main issues of concern. This has allowed CTED to draw out examples of good practice to share more widely. We also welcome the strengthening of relations between CTED and the Counter-Terrorism Action Group, including through more focused local donor meetings.

Ambassador Urbina's leadership of the 1540 Committee will be much missed when he steps down as chairman. We welcome the Committee's work on the comprehensive review of resolution 1540 (2004). It was useful to hear views from the wide range of States and international organizations at the open meeting of the review, and we look forward to its final outcome document, which should contain practical recommendations for improving implementation. We want to see the emphasis now shift further towards effective implementation in those States with more serious deficiencies. Improving the delivery of assistance will be critical. We were pleased that the first meeting of the working group on assistance took place earlier this month, and hope this will create momentum for a more effective 1540 assistance strategy. The effective organization of the comprehensive review, and the improving work on delivering assistance, show the benefits of the new 1540 Committee working group structure.

Through the United Kingdom's Global Threat Reduction Programme, we have committed up to $750 million towards countering the spread of weapons of mass destruction, in support of the objectives of resolution 1540 (2004). We have undertaken work in

18 countries on projects covering physical protection work, improving the security of materials, contributing to the reduction in chemical weapons stocks, and supporting sustainable employment for former weapons scientists. We also continue to support the IAEA Nuclear Security Fund, and we have doubled our 2009 contribution to $6 million.

We welcome the substantial advances that resolution 1822 (2008) made to the 1267 Al Qaida and Taliban sanctions regime. The Counter-Terrorism Committee continues to work hard to ensure that the resolution is implemented efficiently and effectively, and I would like to pay tribute to the Monitoring Team and you, Mr. President, for the work done in this regard. But the Committee has more to do to help make the regime more robust and sustainable. In particular, we need to safeguard the fundamental rights of those designated on the list, and work on improving the credibility of the overall list. As you pointed out in your report, Mr. President, the key to this is the de-listing procedure. We must be able to demonstrate that it is possible for those designated to come off the list when they no longer pose a threat to international peace and security. That process needs to be more transparent and merit-based. Individuals should be provided with clear, reasoned and timely responses to de-listing requests.

The United Kingdom remains committed to working with our Security Council partners on the forthcoming resolution to address these issues and we hope to see a stronger and more effective sanctions regime as a result.

Mr. Rugunda (Uganda): Thank you for organizing this joint briefing, Mr. President. We thank Ambassador Vilović, Chairman of the 1373 Committee, Ambassador Urbina, Chairman of the 1540 Committee, and you, Mr. President, in your capacity as Chairman of the 1267 Committee, for your insightful briefings.

Uganda welcomes the continued close cooperation among the three committees. This cooperation is necessary for improved performance in developing common strategies and coordinating activities. As we have heard, this cooperation has had a stimulus effect by helping to focus on the implementation of Security Council resolutions 1373 (2001), 1267 (1999) and 1540 (2004).

We welcome the progress made by Member States in their completion of the analysis and the adoption of the preliminary implementation assessments. That is indeed a significant achievement on the part of the 1373 Committee, and we are encouraged that the Committee will support 100 per cent completion by all Member States. We applaud the efforts of the Counter-Terrorism Executive Directorate for the work it has done in this regard.

We support the ongoing dialogue between Member States, donors and beneficiaries on the facilitation of technical assistance. This dialogue offers an opportunity for Member States to candidly exchange views with the Committee on the practical measures necessary to implement resolution 1373 (2001). In fact, the partial compliance or non-compliance by Member States to fully implement Security Council resolutions is often due to the lack of technical capacity to do so.

Terrorism, together with the proliferation of weapons of mass destruction among non-State actors, remains one of the major threats and challenges to international peace and security. In this regard, we support the United Nations Global Counter-Terrorism Strategy and the coordination of the Counter-Terrorism Implementation Task Force within the collective efforts undertaken to combat terrorism. The continued cooperation of the three subsidiary bodies with the Counter-Terrorism Implementation Task Force is a step in the right direction and should be encouraged.

We welcome the report by the Chairman of the 1540 Committee on behalf of the three subsidiary bodies, which confirms that a comprehensive review, as requested by the Council, is under way. I wish to reiterate Uganda's support for the comprehensive review. It is necessary that the review assess the evolution of risks and threats, identify practical approaches for the implementation of the resolution as well as the challenges on the ground that are impeding the implementation of resolution 1540 (2004).

The debates and thematic sessions referred to in the briefings are invaluable. We thank the United Nations Office for Disarmament Affairs, the United Nations Office on Drugs and Crime (UNODC) and the Terrorism Prevention Branch of the UNODC for organizing workshops here in New York and at the regional and subregional levels. These workshops provide a better understanding of Council resolutions, which ultimately helps in their implementation.

We share the view that the consolidated list remains an instrument useful to the United Nations in its effort to combat terrorism. However, the credibility of the consolidated list will be undermined if the existing gaps are not addressed in a timely and effective manner. Therefore, we are encouraged to hear that the 1267 Committee is committed to improving its procedures by introducing additional elements of fairness and transparency, which will contribute to the effectiveness of the Committee.

Finally, Uganda would like once again to thank the Chairpersons of the three subsidiary bodies and the associated monitoring groups and experts groups for the good work that they have done.

We assure the Council of Uganda's continued cooperation in working for a secure and peaceful world.

Mr. Apakan (Turkey): Let me begin by thanking the three distinguished Chairmen of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004) for their comprehensive and informative briefings. We highly appreciate the valuable work undertaken by these Committees.

Today, terrorism in all its forms and manifestations and the proliferation of the weapons of mass destruction continue to pose serious threats to international peace and security. No country is immune from such cross-border threats. In other words, there is no room for complacency. We should therefore act in an even more steadfast manner and strive to increase the effectiveness of our endeavours.

As Ambassador Mayr-Harting said, the 1267 sanctions regime has, in the last decade, proven to be an effective tool in countering Al-Qaida and Taliban terrorists and other individuals and entities affiliated with those groups. We believe that the regime has been instrumental in preventing many possible terrorist attacks through the action of placing more than 500 names on its consolidated list.

At this stage, we need to concentrate our efforts on further strengthening the sanctions regime. In this regard, the rulings of national and regional courts concerning some of the names on the list constitute a priority area that requires further and careful attention. The follow-up resolution to resolution 1822 (2008), which is to be adopted before the end of this year, will provide a good opportunity to take the necessary steps in this respect.

In this context, Turkey will pursue a constructive and flexible approach, so that the principles of due process and fairness are taken into consideration, as called for by some court decisions and without prejudging the final decisions of the 1267 Committee.

We are also looking forward to concluding the review process of the consolidated list in June 2010. With the active contribution of the Monitoring Team, the Committee has already reviewed a significant number of the names. We hope that with the finalization of the review process, the consolidated list will better reflect the current threats and thus become a more credible instrument in coping with the challenges that the Chairman has indicated in this context.

With respect to the Counter-Terrorism Committee, we are pleased that, under the chairmanship of Ambassador Vilović, it has been doing a remarkable job in terms of monitoring the implementation of resolutions 1373 (2001) and 1624 (2005). I would also like to acknowledge Mr. Mike Smith, Executive Director of the Counter-Terrorism Executive Directorate, and his professional and hardworking team for their support and contributions to the work of the Committee.

That having been said, there are still deficiencies in the implementation of resolutions 1373 (2001) and 1624 (2005), stemming from the lack of either political will or capacity. In our view, one of the main challenges of the Committee is to make sure that Member States fully understand their obligations pursuant to those resolutions and take the necessary measures to implement them. In this regard, the dialogue between the Committee and Member States should be intensified, so as to make it possible for the Committee to carry out its monitoring and assistance tasks more effectively.

For our part, Turkey will actively strive to achieve further progress in this direction. We are grateful to the Chairman for the good example set forth by the Committee. Our focus will be on practical measures that could be taken either to expand the scope of some of the already existing arrangements or to fill in the identified gaps in implementation.

Since its adoption, resolution 1540 (2004) has emerged as an important component of the global

non-proliferation and counter-terrorism regimes. We are pleased that the level of implementation of the resolution has improved remarkably under Ambassador Urbina's able chairmanship of the 1540 Committee and thanks to the diligent work carried out by the Expert Group. That said, Turkey continues to support a comprehensive review of the implementation of resolution 1540 (2004). Comprehensive review, in our opinion, is a continuous process. Our efforts should therefore continue unabated.

We believe that the country visits and outreach events such as conferences, seminars and workshops organized at the regional and subregional levels are also highly beneficial. Thus, we support the continuation of such activities within the framework of all three Committees.

Before concluding, let me emphasize again that countering terrorism and the proliferation of weapons of mass destruction in an effective way can only be achieved through seamless cooperation among all Member States in an integrated approach. I would like to reiterate the determination of my country to continue to actively take part in the work of all the three Committees and to lend every support.

Mr. Churkin (Russian Federation) (*spoke in Russian*): I wish at the outset to thank the Chairmen of the Counter-Terrorism Committee (CTC), the Security Council Committee established pursuant to resolution 1267 (1999) and the Security Council Committee established pursuant to resolution 1540 (2004) — Ambassadors Vilović, Mayr-Harting and Urbina, respectively — for their informative briefings and for their work to strengthen international cooperation in combating terrorism.

The Russian Federation favours increased cooperation and coordination among the three Security Council Committees. The main direction for this coordination effort was set out in their joint statement. We consider future cooperation among the Committees and their expert groups to be a key prerequisite for enhancing the Security Council's effectiveness in combating the global threat of terrorism.

I turn now to the work of the Counter-Terrorism Committee. With the assistance of the Counter-Terrorism Committee Executive Directorate (CTED), the Committee has made significant progress in its dialogue with States on the basis of Preliminary Implementation Assessments relating to resolution 1373 (2001). We note the growing role of the CTC subcommittees under the chairmanships of the Russian Federation, France and Viet Nam.

Country visits continue to be an important tool for the CTC, and the experience of the past six months has confirmed the effectiveness of such visits, including regional, repeat, focused and comprehensive visits. I note the cooperation between CTED and the Counter-Terrorism Action Group of the Group of Eight during such visits. These endeavours have enabled the Committee to clarify the provisions of the Global Implementation Survey relating to resolution 1373 (2001).

We also note progress in the dialogue between the CTC and Member States concerning resolution 1624 (2005), which relates to the ideological fight against terrorism and, in particular, to putting an end to incitement. A hundred Member States have already submitted reports to the Committee on this.

We wish also to commend CTED, under the leadership of Mike Smith, for its assistance to the Committee. In June, in accordance with resolution 1805 (2008), an interim review of the work of CTED took place. It assessed the efforts of the CTED, and the Executive Directorate received high marks in all areas pertaining to its mandate. We endorse that positive assessment. We further support CTED's participation in the work of the Counter-Terrorism Implementation Task Force, and we commend CTED for its assistance to the Task Force's working groups on integrated assistance for countering terrorism, tackling the financing of terrorism and protecting human rights while countering terrorism.

We continue to consider the 1267 Committee to be among the Security Council's most effective and capable counter-terrorism mechanisms. We express grave concern at the increase in terrorist activity and the expanded role of the Taliban and its extremist ideas, both within the territory of Afghanistan and beyond it. In our view it is unrealistic to claim that the link between the Taliban and Al-Qaida is growing weaker and that by using flexible sanctions, we could drive a wedge between them or somehow isolate so-called intransigent Taliban. We think that it is inappropriate and dangerous to attempt to establish political contacts with leaders of extremist groups, especially in contravention of the Security Council's sanctions regime. We call upon all States to strictly

implement measures against individuals on the sanctions list established in accordance with the relevant Security Council resolutions and the guiding principles of the work of the 1267 Committee.

We welcome the efforts of the Committee and the Analytical Support and Sanctions Monitoring Team in keeping the consolidated list up to date and ensuring that it reflects the true face of today's terror threat. At the same time, we consider any attempts to accelerate or facilitate de-listing in breach of existing procedures to be unconstructive. We support the sensible idea of increasing the transparency of the Committee's procedures, in order to avoid doubts about the legitimacy of the imposition of sanctions, including those raised by regional or national courts.

It is important not to allow the role of the Committee in monitoring the implementation of sanctions to be weakened, in particular with respect to exemptions from financial embargo. We call upon States to submit, in accordance with resolution 1735 (2006), requests for listing individuals and organizations linked to the Taliban and Al-Qaida, including those that finance their terrorist activities with the proceeds from sale of illicit drugs.

Full and conscientious fulfilment by all States of their obligations is necessary for a successful outcome in our efforts to combat the real and ever-changing threat to international peace and security posed by the Taliban and Al-Qaida. The Russian Federation has consistently favoured full implementation by all States of resolution 1540 (2004) and of the subsequent resolutions 1673 (2006) and 1810 (2008), which were intended to ensure that weapons of mass destruction and their means of delivery and related materials do not fall into the hands of non-State entities, especially terrorists.

The aims of resolution 1540 (2004) have lost none of their relevance. The gravity of the threat of the possession by terrorists of weapons of mass destruction was mentioned by many participants in recent open meetings of the 1540 Committee, which were held as part of the comprehensive review of the implementation of the resolution. The 1540 Committee has a central role to play in consolidating and enhancing the effectiveness of international efforts in this sphere.

The Committee has done very good work during the reporting period. Eight meetings were held, and considerable work went into preparing and organizing them. Six of these were open meetings with the participation of a number of Member States and international and regional organizations. Without doubt, this practice enhances the transparency of the work of the Security Council and its subsidiary bodies.

It is our expectation that the review process soon to be completed will give fresh impetus to further stepping up international efforts to combat the proliferation of threats and risks, with the 1540 Committee playing a coordinating role. It is important that the Committee continue to increase its assistance to States in complying with the provisions of resolution 1540 (2004) and, to that end, that it coordinate the broadest possible international cooperation, in particular as part of the extensive informational and awareness-raising programmes in which it participates.

We are prepared to continue to support such measures, including in the context of our constant cooperation, on issues related to the mandate of the 1540 Committee, with members of the Commonwealth of Independent States. Russia will continue to take purposeful measures to attain the goals set out in resolutions 1540 (2004), 1673 (2006) and 1810 (2008).

Mr. Gouider (Libyan Arab Jamahiriya) (*spoke in Arabic*): I wish at the outset to join previous speakers in thanking the Chairmen of the three Security Council Committees and in expressing appreciation not only for their extensive briefings but also for the efforts that they have made along with their fellow members of the Committees and their subsidiary bodies.

These briefings have shown that positive and near-common efforts continue to be made by the three Committees under review. Cooperation has also continued among the Committees, as was made clear in the joint statement that we heard earlier. Programming, structural and procedural improvements to the working methods have also continued to move ahead. A comprehensive review of the implementation of Security Council resolutions is also under way. National capacity building assistance has continued, especially for developing countries. Special efforts have also been made to promote transparency and respect for human rights. We call for the strengthening of those initiatives, which merit our full appreciation.

However, we would like to reiterate that such initiatives will be incomplete unless they are enshrined within the sound and comprehensive context that has

been unanimously approved, namely, the United Nations Global Counter-Terrorism Strategy. The time has come to complement our efforts to combat and prevent terrorism. It is also time for the United Nations and it various organs to address seriously another very important dimension of the Strategy, that is, the root causes of terrorism.

I do not believe that there is any controversy about the fact that occupying peoples lands, offending their cultures and civilizations and denying them their legitimate right to resist occupation provide fertile ground for acts of violence. Such issues cannot be marginalized by continuing to follow an approach of double standards, leveling accusations and adopting temporary palliative measures. Nevertheless, all we can do today is to evaluate the efforts of the three Committees. In that regard, I shall keep my remarks brief.

We welcome the conclusion by the Counter-Terrorism Committee, chaired by Ambassador Ranko Vilović, with the assistance of the Counter-Terrorism Executive Directorate (CTED), which is chaired by Mr. Mike Smith, of the Preliminary Implementation Assessments of States' implementation of resolution 1373 (2001). We hope that pending cases will be completed next year. We also look forward to receiving the annual review of the implementation of the resolution before the end of this year. We commend the visits undertaken by the Committee to several States, including Libya. My country would like to place on record its appreciation for CTED and for its expertise and efforts to improve its counter-terrorism activities. I would like to reiterate my country's readiness to cooperate with CTED and other relevant international bodies and efforts.

We would also like to welcome the progress that has been made in the Committee established pursuant to resolution 1267 (1999), under your wise chairmanship, Mr. President. We also welcome the review that has been carried out of the names listed on the consolidated list. The Chairman spoke about the challenges facing the completion of that process, as well as about arriving at a sanctions list that cannot be challenged through the legal system. There are still names of persons who are long dead on the list. There are also names whose listing is no longer appropriate, including persons who have not been positively identified. That truly hinders the ability of States to implement sanctions. It can also lead to arbitrary implementation merely by virtue of the suspicion associated with a given name. We stress the need for the speedy conclusion of that process and for the inclusion of sufficient identifying primary information for the de-listing of any names for which there are no credible grounds for inclusion on the list.

We welcomed the adoption of resolution 1730 (2006), as well as the establishment of a focal point to receive requests for de-listing. However, we believe that this important step still calls for further complementary measures to set forth transparent and procedurally fair standards. We also encourage the Committee to continue to grant exemptions pursuant to resolution 1452 (2002), so as to steer clear of the abhorrent concept of collective punishment and to avoid harsh sanctions that are not based on the principles of international law and justice and have an impact on families. Moreover, we stress the need for the Committee to review sanctions that hinder the speedy granting of exemptions. In particular, we urge it to review the use of suspensions to obstruct requests for exemption.

Finally, we would like to pay tribute to the Committee established pursuant to resolution 1540 (2004). We thank Ambassador Urbina for the progress made thus far, especially with regard to the non-proliferation obligations imposed on all States. Many States, including Libya, have provided the information required under the resolution. We continue to urge all States to do the same. We fully understand the grave danger posed to international peace and security by all sorts of weapons of mass destruction. We regret to note that the current mechanisms are insufficient and not universal, for their provisions have not been incorporated into national legislation.

We once again reiterate that we renounce weapons of mass destruction. We believe that the total elimination of such weapons continues to be the best way to prevent them from falling into the hands of non-State actors. We also believe that the two objectives of disarmament and non-proliferation require sustainable and irreversible progress.

In conclusion, my country, which has suffered the tragedies of international terrorism, continues to support the work of the three Committees and their subsidiary bodies, including any effort that contributes to our collective goal of eliminating the causes and manifestations of terrorism so that we can live in a

world where there is genuine security and safety for all peoples.

Mr. Bonne (France) (*spoke in French*): I would first of all like to express my delegation's gratitude to Ambassadors Vilović and Urbina for their briefings on the work of the Committees over which they preside. I would also like to thank them for the important work they carry out as the Chairs of those Committees.

My delegation associates itself with the statement to be delivered by the representative of Sweden on behalf of the European Union.

We know the threat that terrorism poses to States and peoples. It affects the civilian population, who are the primary victims of terrorism. It is indeed an intolerable threat against which we have no choice but to unite and act together. France will continue to fulfil all its responsibilities in this respect.

As the United Nations so bitterly discovered recently, the Organization itself is also a target. We would like to pay tribute here to all the United Nations staff members who have fallen victim to terrorism. We remember in particular the men and women who were wounded or killed in Kabul on 28 October. We also welcome the United Nations determination to not give in to terrorist blackmail and to persevere in its mission in Afghanistan.

The United Nations now has a solid framework within which to fight terrorism, but we all know that terrorists will take advantage of any loophole in the system. That is why it is crucial for the Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), with the support of their respective expert groups, to be able to implement the corresponding resolutions and enjoy the full support of all Member States.

Resolution 1822 (2008) has made it possible to improve the operation and procedures of the 1267 Committee, in particular through the revision of the list of persons and entities subject to sanctions. This is an enormous task that will enable the list to give us an accurate idea of the state of the threat. We hope that the renewal of resolution 1822 (2008) will be an opportunity to continue these improvements, and we believe that the resolution deserves to be more widely known by the public.

The work carried out by the Counter-Terrorism Committee to review the implementation of resolution 1373 (2001) is crucial. That is why it must be very clear that the resolution is binding and that all States must comply with it. France has done its share in this regard. Of course, some States lack the means to implement the resolution. In such cases, they can and should benefit from technical assistance. Here, I would like to welcome the effective work of the Counter-Terrorism Executive Directorate (CTED) and the quality of the dialogue it has achieved with States aimed at helping them to honour their obligations. I would also like to thank CTED for having organized seminars on the regional situations that correspond to the priorities in the fight against terrorism. In that respect, the work of the 1373 Committee must be focused on the most strategic issues and give us a precise and dynamic understanding of the situation.

I would like to say a few brief words on resolution 1540 (2004). We all know that nuclear, radiological, biological and chemical terrorism remains one of the primary threats to our security. We must therefore continue to work tirelessly in that Committee. We have to increase its visibility and its effectiveness. We welcome in this respect the comprehensive review of resolution 1540 (2004) carried out on 1 October under the chairmanship of Costa Rica, which must serve as a basis for its work in the months to come. We should also pursue our efforts to ensure effective implementation of that resolution. To that end, the Committee's operations must be improved, as its role is critical to coordinating assistance requests.

Indeed, we must focus all of our efforts today on assistance. The working group of the 1540 Committee, currently chaired by France, will do all it can to make concrete progress in that area. We must improve the timeframes involved in dealing with requests, improve follow-up to offers and carry out specific visits to certain countries.

We encourage all States that wish to enhance their capacity to combat the proliferation of weapons of mass destruction to make requests for assistance to the Committee. We also call on all States with the necessary capacity to assist the Committee in strengthening the implementation of resolution 1540 (2004).

We welcome the establishment of the Counter-Terrorism Implementation Task Force, which has strengthened the capacity of the United Nations and helped those involved in the fight against terrorism to

share their experience and define common priorities. We believe that the Task Force has become a crucial tool in our kit, and we must now institutionalize it.

On our part, we will continue to play an active role within the three Committees and to do our utmost to strengthen the capacity of the United Nations to fight terrorism in all its forms.

Mr. Kafando (Burkina Faso) (*spoke in French*): I would like to thank Ambassadors Vilović, Urbina and Mayr-Harting for their informative briefings in their capacity as the Chairs of the three Security Council Committees entrusted with combating international terrorism.

With regard to the Security Council Committee established pursuant to resolution 1540 (2004), we wholeheartedly welcome the efforts of the Committee and its expert group to implement the Committee's programme of work. The comprehensive review of the implementation of resolution 1540 (2004) undertaken on 30 September by the Committee was an important phase of its work five years after its establishment. We hope that the important recommendations that the Committee formulated at the conclusion of that exercise will be rapidly translated into concrete and effective measures aimed at achieving the goals of resolution 1540 (2004).

In order to support the initiatives and efforts of the Committee, we have always believed that the Committee and its expert group should undertake visits to willing States. Such visits would enable it to improve its dialogue with interested States and to evaluate their implementation efforts and technical assistance needs. In addition to training and awareness-raising projects, in particular the regional workshops, such visits will be decisive for the implementation of resolution 1540 (2004).

We also urge the Committee to maintain ongoing, direct dialogue and exchanges of experience with international, regional and subregional organizations in order to better guide its work.

The current sanctions regime against Al-Qaida and the Taliban has proven to be effective, and the relevant initiatives undertaken by the Security Council Committee established pursuant to resolution 1267 (1999) following the adoption of resolution 1822 (2008) only improve that regime by adapting it to a new international context.

Ensuring a reliable and transparent procedure for adding or removing individuals or entities from the consolidated list, as well as efforts to streamline exemptions for humanitarian reasons, reinforce counter-terrorism activities while respecting human rights. We welcome the new impetus injected into the work of the Committee by the effort to ensure reliable information that will better justify the addition or removal of names from the list. We commend in this respect the important role played by the Monitoring Team through its effective cooperation with all Member States and other organs and entities of the United Nations system.

Indeed, the current review of all the names on the consolidated list is essential and requires the cooperation not only of the States directly involved, but also of all Member States in order to achieve, before 30 June 2010, as required by resolution 1822 (2008), a reliable and uncontested list.

Furthermore, we believe that the success of the informal meetings organized on 18 June and 28 October to allow States to exchange information and discuss human rights protection in the implementation of the sanctions regime clearly demonstrates the progress achieved by the Committee. The visits of its Chairman to the Russian Federation, Brussels and Vienna give added value to the work of the Committee. This tradition is useful and should be continued.

We are also convinced that the current discussions on the recommendations of the Monitoring Team contained in its tenth report, as well as the lessons drawn from the review process, will help to correct deficiencies and make the sanctions regime more effective, in particular through the imminent adoption of a new resolution.

Above all, if we want a sustainable and effective sanctions regime, it is important to prioritize the issue of technical assistance to countries with undeveloped capacities in order to prevent them from becoming ready havens for individuals targeted by sanctions. Otherwise, all the progress achieved to date will be largely compromised.

With respect to the 1373 Committee, we are pleased to note that, with the support of CTED, it has completed the 191 Preliminary Implementation Assessments for resolution 1373 (2001). The preliminary evaluation undertaken in June 2009 of the

support of the Executive Directorate for the Committee has resulted in appropriate recommendations, which we support.

The direct dialogue that the Committee has launched with the permanent missions of certain countries in New York; the country visits, including that to Burkina Faso in February; the training workshops and awareness-raising seminars in which the Committee and CTED have taken part; the close cooperation and exchanges of experience with regional and subregional organizations, including the African Centre for the Study and Research on Terrorism in Algiers; and the assessment process for the implementation of resolution 1373 (2001) have helped to paint a clearer picture of the way in which States are fulfilling their obligations under the resolution and to formulate recommendations. The revised global survey of the implementation of the resolution has contributed to improving the Committee's regional and subregional evaluations.

We are convinced that the recommendations formulated following this exercise, if faithfully implemented, will help to bridge the gaps in the resolution's implementation. The same holds true for the conclusions reached at the two thematic discussions on technical assistance and cooperation. Given the results, the Committee and the Executive Directorate are to be commended for their work over the past six months.

In conclusion, because the fight against terrorism is a complex undertaking that calls for joint efforts, we welcome the cooperation established among the three Committees themselves and between them and the United Nations Office on Drugs and Crime and the Task Force established by the Secretary-General in the framework of the United Nations Global Counter-Terrorism Strategy.

Mr. Okuda (Japan): At the outset, I would like to express my appreciation to you, Sir, for convening today's debate. I also wish to join previous speakers in thanking the respective Chairs of the Council's three counter-terrorism Committees for their briefings on developments during the past six months.

Terrorism continues to be a serious threat to the international community. Countering terrorism requires a comprehensive and multifaceted approach, as well as enduring engagement. The three Committees play a significant role in this context and should continue their efforts to develop further effective measures.

As we are all aware, the threat of terrorism posed by Al-Qaida and the Taliban continues unabated. The sanctions imposed against individuals and entities associated with Al-Qaida and the Taliban under resolution 1267 (1999) — travel bans, the freezing of assets and arms embargoes — continue to play a crucial role in countering terrorism.

In order for the regime under resolution 1267 (1999) to be fully effective, continued efforts to ensure the credibility of the consolidated list are indispensable. Japan commends the work accomplished so far by the Committee established pursuant to resolution 1267 (1999) with respect to the comprehensive review of the list and narrative summaries of reasons for listing pursuant to resolution 1822 (2008), as well as the improvement in recent years of its listing and de-listing process. We are also grateful to the Monitoring Team and the 1267 Committee's secretariat for their devoted work in these endeavours.

Japan regards the improvement of the 1267 sanctions regime as instrumental in making its due-process improvements and raising its transparency and efficiency. We continue to support the efforts to improve the regime in a way that does not compromise its effectiveness as a counterterrorism measure.

I welcome the good work done by the Counter-Terrorism Committee and its Executive Directorate (CTED) in encouraging Member States to fully implement resolution 1373 (2001). I also pay tribute to Mr. Smith, Executive Director, and the CTED experts for their excellent work in counter-terrorism efforts.

We attach great importance to the role of Committee CTED in identifying specific needs in the area of counterterrorism technical assistance. In this regard, we support the stocktaking exercise consisting in the review of the implementation of resolution 1373 (2001) by all Member States. This exercise contributes, through dialogue, to identifying the challenges that Member States face and the technical assistance that they require. We expect the Committee and CTED to make further efforts in this area to enhance counter-terrorism capacity in all Member States.

It is important to note at the same time that some countries are not submitting their Preliminary

Implementation Assessments (PIAs) to CTED in a timely manner. We would like to stress that all Member States need to cooperate fully with CTED and make a determined effort to submit their PIAs by the deadline.

In addition, we would like to highlight the importance of the country visits that have been conducted by the Committee and CTED. Country visits are among the valuable tools allowing the Committee and CTED to ascertain the current situation of counter-terrorism in a given country and to assess actual needs in the area of technical assistance for capacity-building through direct contact with the relevant authorities. It is our hope that the Committee and CTED will adopt a more effective approach by engaging in shorter and more focused country visits and regional visits in a flexible manner.

With regard to technical assistance for capacity-building, Japan would like to express deep appreciation to CTED for sharing information regarding technical assistance needs with members of the Counter-terrorism Action Group (CTAG). Japan continues to support the coordination mechanism between CTED and CTAG.

Lastly, we welcome the revised version of the global survey of the implementation of resolution 1373 (2001), which is now under consideration by the Committee. We hope that the global survey will contribute to deepening our understanding of the counter-terrorism measures in both the regional and thematic aspects.

Japan expresses its appreciation for the strenuous efforts undertaken by the Committee established pursuant to resolution 1540 (2004) to promote full implementation of the resolution, and also appreciates Costa Rica's presidential efforts in the Committee. We highly value the adoption of resolution 1887 (2009) on nuclear non-proliferation and disarmament, in which the Security Council reaffirms the need for full implementation of resolution 1540 (2004). Japan also welcomes the fruitful discussion in the open meeting convened from 30 September through 2 October as part of the comprehensive review of the status of implementation of resolution 1540 (2004).

Ensuring sincere compliance by Member States with the provisions of resolutions 1540 (2004), 1673 (2006) and 1810 (2008) requires a tailored approach that takes the specific needs of each respective country into consideration. Japan will continue to extend its assistance in promoting the full implementation of resolution 1540 (2004), in close cooperation with the 1540 Committee and other international forums, including the Group of Eight.

Lastly, we appreciate the close cooperation among the three subsidiary Committees to maximize the functions mandated by the respective Security Council resolutions. We also commend the contribution of their work within the framework of the Counter-Terrorism Implementation Task Force. The cooperation and coordination in this regard should make the most of the limited capacities and resources available by avoiding overlaps and duplications.

Mr. Hoang Chi Trung (Viet Nam): At the outset, I would like to thank Ambassador Ranko Vilović, Ambassador Jorge Urbina and you, Mr. President, for the very comprehensive briefings on the work of the Security Council Committees established pursuant to resolutions 1373 (2001), 1540 (2004) and 1267 (1999), respectively, during the six-month period since the previous joint briefing (S/PV.6128), held in May. We express our appreciation for the implementation of heavy work programmes by all three Committees in accordance with their mandates under the respective Council resolutions. Those achievements would not have been possible without the professional and effective support of the three Committees' expert groups.

Viet Nam acknowledges with serious concern the complex developments in the fight against international terrorism, in particular the evolving threats posed to international peace and security and the tragic consequences inflicted upon innocent people by terrorist attacks. In that context, countering terrorism in all its forms and manifestations, by all means and through all channels, in accordance with international law, should remain high on the agenda of the United Nations, including all its competent bodies.

Following the direction of the Security Council set out in paragraph 25 of resolution 1822 (2008), the 1267 Committee has been undertaking a comprehensive review of all the names on its consolidated list, making use of that review process to update the list where possible. We wish to encourage Member States to lend further cooperation and assistance in order to ensure the success of the review process. We share the Committee's concerns over the credibility of the 1267 sanctions regime and support its

continued efforts to address challenges regarding the consolidated list and to improve its procedures.

In September this year, convinced that promoting interaction and cooperation between the Security Council Committees and Member States is key to the success of their work, Viet Nam facilitated a working visit by the Monitoring Team of the 1267 Committee to our country. The visit allowed experts of the Monitoring Team to exchange views with competent Vietnamese agencies in relation to the implementation of the 1267 sanctions regime in the region.

The Counter-Terrorism Committee (CTC), for its part, continues the stocktaking exercise of the implementation by Member States of the Security Council's counter-terrorism resolutions. Through a series of direct conversations between the three subcommittees and representatives of Member States that have fallen behind in assuming their reporting obligation, the Committee has gained a better understanding of the difficulties faced by many Member States, which, in many cases, involve a lack of capacity or coordination, rather than a lack of willingness or commitment. Another key channel through which the CTC can monitor and promote the implementation of resolution 1373 (2001) is visits to Member States. We recognize that, over the past six months, the CTC, through its Executive Directorate (CTED), has been able to carry out visits in various formats to eight countries. We encourage the CTC to engage CTED in regional visits aimed at analysing good practices and addressing vulnerabilities on a regional scale.

We note the CTC's efforts to remind Member States of their obligation to respect international law on human rights and refugees in countering terrorism and that, for that purpose, CTED intends to include human rights references in all Preliminary Implementation Assessments (PIAs). In that regard, my delegation wishes to reiterate our position — which we have made clear while considering the PIAs of several countries — that the human rights concerns raised by the CTC in the PIAs must be placed in the context of counter-terrorism.

My delegation notes that, over the past six months, the 1540 Committee's major focus of work has been to conduct a comprehensive review of the status of the implementation of resolution 1540 (2004) with a view to reporting the outcome to the Security Council by the end of January 2010. We welcome the Committee's efforts, through various forums, to solicit inputs from Member States, relevant international and regional organizations and representatives of relevant industries, academic institutions and non-governmental organizations in order to improve the implementation of the resolution. We look forward to the Committee's report on the outcome of the comprehensive review.

Although each of the three Committees has a distinct mandate that determines the framework for its activities and those of its expert group, we encourage the Committees to promote, where possible, coordination and cooperation among their expert groups with a view to improving the cost-effectiveness of their work. Along the same lines, we support the efforts of the expert groups to contribute to and coordinate their work within the framework of the Counter-Terrorism Implementation Task Force, which was established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system and to help implement the United Nations Global Counter-Terrorism Strategy.

In conclusion, Viet Nam continues to recognize the important role of the three Committees and their positive contributions to the implementation of the Council's resolutions aimed at addressing the threats to international peace and security caused by terrorism. We wish to reaffirm our consistent support for and cooperation with the Committees in carrying out their mandates.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation would like to thank Ambassador Vilović, Ambassador Urbina and you, Mr. President, for briefing the Council on the work of the Security Council Committees established pursuant to resolutions 1373 (2001), 1540 (2004) and 1267 (1999), respectively. China wishes to express its appreciation for the effective work of the three ambassadors and their teams.

In accordance with the provisions of Security Council resolution 1822 (2008), the 1267 Committee is undertaking a review of the consolidated list in an orderly manner. The review process is likely to improve the completeness and accuracy of the sanctions list, enhance the relevance, effectiveness and fairness of the sanctions regime, and reinforce the authority and status of the Committee.

We note that the review process is arduous, requiring the support of all Member States. We encourage Member States to provide the Committee with detailed and reliable information and to cooperate with it so that the review process can be completed on schedule. We support the Committee's continued discussions on how to improve the listing and de-listing procedures to ensure that the relevant information contained in the sanctions list truly reflects changes in the corresponding situations and that the list becomes a true living document.

The Counter-Terrorism Committee (CTC), with the assistance of the Counter-Terrorism Committee Executive Directorate (CTED), has carried out an enormous amount of effective work in terms of Preliminary Implementation Assessments (PIAs) and country visits. China commends their efforts made in that regard. CTED recently updated and enhanced the survey on the implementation of resolution 1373 (2001) by Member States and conducted an overall assessment of the progress and the gaps in such implementation. That will be very helpful to the work of the CTC during the next phase. We believe that lack of resources and capacity are the major difficulties facing many States, in particular the developing countries, in their efforts to implement the resolution. We hope that through consideration of the Preliminary Implementation Assessment (PIA) and technical assistance the CTC will continue to strengthen its dialogue with Member States, while giving full consideration to the specific difficulties they face, objectively assess their effective implementation of the resolution and focus on enhancing Member States' capacity-building in the fight against terrorism pursuant to resolution 1373 (2001).

The 1540 Committee assisted by the 1540 expert group, achieved remarkable progress in its comprehensive review of the implementation of the resolution, outreach assistance and international cooperation. China appreciates those efforts and for the next phase, in accordance with resolution 1540 (2004) and other relevant resolutions, the Committee should continue its efforts to carry out its programme of work in a comprehensive and balanced manner.

China attaches importance to the role of the 1540 Committee and has always participated actively and constructively in the work of the Committee. We stand ready to continue to actively support the work of the Committee in promoting the implementation of resolution 1540 (2004), galvanizing consensus on non-proliferation and enhancing international efforts and cooperation in non-proliferation.

Over the past months, violence and terrorist activities have continued unabated at the global level, posing grave threats to international peace and security. United Nations counter-terrorism missions continue to face many challenges ahead. China believes that, in view of the grave challenges facing the Global Counter-Terrorism Strategy, the Security Council counter-terrorism regime should continue to push for implementation of relevant counter-terrorism resolutions, while at the same time paying closer attention to the needs of the developing countries in combating terrorism. Respect for their national counter-terrorism strategies and methods must be ensured, while assisting them in strengthening their capacities to combat terrorism.

China urges strengthened coordination between the three Committees and their experts groups in order to use resources efficiently and avoid overlap in their work.

China supports the three Committees within their respective mandates and actively participates in the relevant work of the Counter-Terrorism Implementation Task Force (CTITF) to promote the comprehensive and balanced implementation of the Global Counter-Terrorism Strategy, so that the counter-terrorism efforts of the Security Council and the General Assembly will be mutually complementary and coordinated. China will continue to maintain the central role of the United Nations in the global efforts to combat terrorism.

The President: I give the floor to the representative of Switzerland.

Mrs. Grau (Switzerland) (*spoke in French*): I thank the Chairmen of Counter-Terrorism Committee (CTC), the 1267 Committee and the 1540 Committee for their very informative briefings. Switzerland supports the statement to be made by the Netherlands on behalf of the like-minded States. I will limit myself to highlighting a few political and legal challenges that Switzerland is facing.

Many States in Europe and elsewhere face major political and legal challenges in implementing the 1267 sanctions regime. In Switzerland, a decision by the Swiss Parliament requested the Swiss Government to

cease implementing sanctions against individuals included on the 1267 list in cases where certain criteria had not been considered.

Parliaments are not alone in being increasingly concerned by the issue of reconciling United Nations targeted sanctions with human rights principles. The Kadi and Al Barakaat ruling of the Court of Justice of the European Communities of September 2008 is well known. Switzerland itself is a defendant in a case before the European Court of Human Rights in Strasbourg. The applicant there is challenging the legality of our domestic measures implementing United Nations sanctions, but is in fact attacking the United Nations sanctions system as a whole. According to the tenth report of the Monitoring Team, other cases are pending in other countries.

Member States' Governments find themselves in a serious dilemma when parliaments or courts challenge the legality of domestic measures that implement United Nations targeted sanctions. Member States today may risk having to choose between the option of satisfying obligations imposed by the Charter, or acting in conformity with decisions of their parliaments or courts upholding human rights. The Council could still remedy this problem if it introduced the necessary changes. If it does not, there is a risk of uneven application of United Nations sanctions, which would undermine the credibility and efficiency of the entire system.

Switzerland and its like-minded partners have approached the members of the Security Council in recent months in order to exchange views on a broad range of options to improve the current listing and de-listing procedures. I would like to highlight in particular, the proposal to create an independent expert panel on the de-listing issue.

While bearing in mind the unique role of the Council in maintaining international peace and security, we believe that such an expert panel would not weaken the Council's authority. This opinion is shared by, among others, the Monitoring Team in its tenth report. Such an expert panel, appointed by the Security Council, would assist the Committee in the consideration of de-listing requests. It would be up to the Council to decide upon the competencies of the panel. One element is clear: *the greater the* independence and the effectiveness of the panel, the more likely it will be that targeted sanctions will find the necessary acceptance in national and regional parliaments and will be able to withstand appeals in national and regional courts.

Switzerland remains committed to its efforts to safeguard and further enhance the legitimacy and effectiveness of the sanctions system as an invaluable element in the fight against terrorism. We therefore call upon the Security Council to take into account the concerns expressed in that respect when it adopts the new resolution at the end of the year.

The President: I give the floor to the representative of Sweden.

Mr. Lidén (Sweden): I have the honour to speak on behalf of the European Union. Croatia, the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, Serbia, Ukraine, the Republic of Moldova and Armenia align themselves with this statement.

International terrorism continues to be one of the most dangerous threats of our time. Over the past decade, terrorist networks have proven capable not only of inflicting massive casualties and human suffering but also of destabilizing entire societies and States. The attack in Kabul on the 28 October reminded us once again that terrorism has become a direct and increasingly serious threat to the United Nations and its personnel as well. The men and women who were killed in the Kabul attack deserve our deep gratitude for serving the United Nations and its principles under dangerous circumstances and for paying for that noble cause with their lives. The European Union extends its deepest condolences to their families and friends.

Arresting terrorists, disrupting their plots and eliminating their sources of financing are essential in keeping the threat at bay. The European Union will continue to support firm multilateral action against terrorism and is committed to implementing and improving the multilateral counter-terrorism framework. The effectiveness of our measures is founded on their credibility and perceived legitimacy. The European Union is actively engaged in the ongoing discussions about enhancing the design, implementation and effectiveness of sanctions. We welcome the continuous efforts to ensure that fair and clear procedures within the 1267 regime are enhanced.

The adoption of Security Council resolution 1822 (2008) last year was an important step in that direction.

We welcome the specific measures taken to improve the listing process on the basis of that resolution, such as providing statements of case for new listings and publishing narrative summaries of reasons for listings. Another major step forward is the review of the 1267 list; it has already shown significant results. Further improvements on many points, and especially with regard to de-listing, are necessary. The resolution to be adopted by the Security Council in December presents an important opportunity. The tenth report of the Analytical Support and Sanctions Monitoring Team (see S/2009/502) offers a valuable basis for this effort.

In response to resolution 1822 (2008) and the demands of the European Court of Justice, the European Union is in the process of modifying its procedures for implementing the 1267 regime. With these improvements, the European Union hopes to meet the due process requirements set out by European courts. Further improvements at the United Nations level are also called for in order to ensure the effective implementation of the United Nations sanctions regime.

Our collective ability to curb terrorism ultimately depends on the abilities of individual Member States. The strengthening of legal frameworks and the bolstering of national capacities to respond to terrorist threats are of vital importance. The European Union and its member States are among the main providers of capacity-building measures in the rule of law and counter-terrorism areas under resolution 1373 (2001). We continue to support the Counter-Terrorism Committee (CTC) and its Executive Directorate (CTED), and we will continue to make significant contributions to their work as well as to the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime.

The European Union welcomes the results of the interim review of the work of CTED, as set out in resolution 1805 (2008). We support the ongoing stocktaking of the implementation process with its special focus on countries that have not regularly reported to the Committee and the ambition to strengthen cooperation with regional specialized organizations. We also encourage deeper integration of human rights in the CTC's and CTED's work with Member States.

It is difficult to imagine a more frightening scenario than terrorists using nuclear, biological or chemical weapons. Resolution 1540 (2004) provides a strong legal basis for our diplomatic, legal and financial efforts to prevent non-State actors, including terrorists, from acquiring those types of weapons and their means of delivery. The European Union Strategy against the Proliferation of Weapons of Mass Destruction underlines our commitment to the highest export control standards. We continue to provide significant assistance to third countries. The European Union, in addition to its member States' individual contributions, plans to spend around €300 million on cooperation to counter proliferation of chemical, biological, radiological and nuclear weapons and materials in the period 2007 to 2013.

We also welcome the comprehensive review process through which Member States were recently invited to share views and experiences on the status of implementation of resolution 1540 (2004). The 1540 Committee is an important clearing house, matching assistance offers and requests, a role that should be further developed.

In order for sanctions and other measures aimed specifically at terrorists to be effective, they must comply fully with all aspects of international law and be combined with efforts aimed at addressing the conditions conducive to terrorism. The United Nations Global Counter-Terrorism Strategy stands as the most significant expression of our common ambition to address international terrorism in all its aspects. But more needs to be done when it comes to implementation. One concrete step that should be taken urgently is to institutionalize the Secretary-General's Counter-Terrorism Implementation Task Force.

The European Union welcomes the efforts of the Security Council and its Committees to seek effective, legitimate and coherent implementation of United Nations counter-terrorism measures. We will continue to be a committed partner in the period ahead.

The President: I now give the floor to the representative of Cuba.

Mr. Núñez Mosquera (Cuba) (*spoke in Spanish*): We thank the Chairmen of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), for the information they provided.

On numerous occasions, our country has submitted to the Security Council detailed information on terrorist acts against Cuba perpetrated by various

individuals and organizations, as well as on the conspiratorial protection they are given by the United States Government. So far, our complaints remain unanswered.

Last 21 October, the notorious terrorist Santiago Álvarez Fernández-Magriñá was set free in the United States. That terrorist had been sentenced for having an illegal cache of hundreds of arms and ammunition in south Florida, and for obstruction of justice, having refused to testify before a federal grand jury on the illegal entry into the United States of his accomplice, the well-known international terrorist Luis Posada Carriles. The truth is that Santiago Álvarez was himself responsible for smuggling Posada Carriles into the United States aboard his vessel *Santrina*, in early 2005, an act that the Cuban Government denounced at that time.

That terrorist was found to be in possession of, among other weapons, an illegal cache of 30 automatic and semiautomatic machine guns, a rocket launcher, numerous grenades, over 200 pounds of dynamite, 14 pounds of C-4 plastic explosive and 4,000 feet of detonating cord — a quantity of illegal arms unprecedented in south Florida — all to perpetrate terrorist acts against Cuba. However, the United States District Attorney's Office decided not to press charges of terrorism against him and sentenced him to only four years of imprisonment, a sentence that was then reduced to just 11 months.

Santiago Álvarez has a record of terrorist acts against the Cuban people. To cite only a few examples, he was a founding member of the south Florida-based paramilitary terrorist organization Alpha 66; he enlisted as a mercenary in Brigade 2506, which invaded Cuba at the Bay of Pigs in 1961; and he was a key accomplice of Posada Carriles in planning the failed assassination attempt on the leader of the Cuban revolution, Fidel Castro, in Panama, in 2000. Álvarez's participation in various pirate attacks against Cuba from United States territory is widely known. On 12 October 1971, he participated in a terrorist attack against the population of Boca de Sama, in the north of Holguín Province, during which the perpetrators murdered two people and seriously wounded a girl.

He tried to insert a terrorist cell into the area of Isabela de Sagua, in Villa Clara Province, Cuba, in April 2001, with the purpose of perpetrating acts of vandalism in the country. Among the missions Álvarez ordered for that terrorist cell was the bombing of the Tropicana cabaret in Havana. There is irrefutable documentary proof of his participation in this act.

The international terrorist Luis Posada Carriles, who has been rightly rated the most notorious terrorist of the western hemisphere, is still free in the United States without being prosecuted for his terrorist acts against Cuba, despite the fact that the United States Government has all the evidence necessary to do so, including what Cuba has provided it since 1998. The United States Government has limited its action to a single trial for petty immigration offenses.

The Government of the Republic of Cuba insists once again the United States authorities fulfil their international obligation to prosecute Posada Carriles as a terrorist or to extradite him to the Bolivarian Republic of Venezuela, in response to the request made by that Government on 15 June 2005, some four years ago.

This terrorist is responsible for the in-flight bombing of a Cubana de Aviación airliner, claiming the lives of 73 innocent civilians. Precisely, last 6 October marked another anniversary of that abominable crime. Posada Carriles is also responsible for attacks on tourist facilities in Havana in 1997 and for dozens of plans financed by the United States Government to assassinate the Commander of the Cuban revolution, Fidel Castro Ruz. I should stress that these are only some of the acts confessed by their perpetrator.

In stark contrast to that case is that of the five Cuban heroes who, on 12 September 2008, marked 11 years of incarceration in United States prisons for the sole reason that they fought to against Miami-based terrorism against Cuba — to prevent terrorists like Posada Carriles and Santiago Álvarez from committing terrorist acts against our country.

Cuba supports the position of the 118 States members of the Non-Aligned Movement against the unilateral preparation of lists accusing States of supposedly supporting terrorism, a practice that is not in accordance with international law or United Nations resolutions. On 30 April, for the twenty-eighth consecutive year, the United States Government included Cuba on a list of States that supposedly sponsor international terrorism. Cuba vigorously rejects the inclusion of our country on this unilateral and spurious list, which is politically manipulated and motivated, of unsound origin and drawn up by the

United States Department of State. With the unjustifiable inclusion of Cuba on this list, the new United States Government is denying the political rationality it publicly proclaims and following the mistaken path of its predecessors as it resorts to political manipulations and flagrant lies against Cuba, with the aim of justifying at all costs its discredited, isolated and unsustainable policy against our country. Those who draw up such lists lack the even the slightest moral authority to set themselves up as international arbiters on terrorism or to certify the conduct of others as good or bad.

The impeccable policy of the Cuban revolution with regard to terrorism leaves no room for questions or doubts, least of all from Washington. Cuba condemns all acts, methods and practices of terrorism, in all its forms and manifestations, wherever, by whoever and against whomsoever committed, whatever their motivations. What is more, the Cuban territory has never been used nor will it be used to organize, finance or carry out terrorist acts against any country.

The United States Government cannot say the same. Over the past 50 years, the United States Government has been involved in repeated terrorist acts which have resulted in 3,478 deaths among the Cuban people and the maiming of 2,099, as well as material losses amounting to trillions of dollars.

Cuba has worked tirelessly in the search for bilateral and multilateral forms of cooperation to fight international terrorism, based on mutual respect, non-interference in the internal affairs of States and the sovereign equality of States. In that context, on 29 November 2001, Cuba proposed signing a bilateral counter-terrorism programme with the United States Government, without any conditions and in accordance with Security Council resolution 1373 (2001). That proposal, subsequently reiterated on various occasions, was rejected by the Bush Administration on the basis of empty and irrational arguments. If the new United States Administration genuinely wishes to prove its commitment to the fight against terrorism, it now has the opportunity to take firm action, without double standards, against the various terrorist organizations that have attacked Cuba for so many years from within the territory of the United States. It has the opportunity to let justice be done by releasing, without further delay, the five Cuban anti-terrorist fighters that it has kept as political prisoners for over 10 years in high-security prisons. The President of the United States has the constitutional prerogative to set them free as an act of justice and to show the commitment of his Government to fighting terrorism.

The United States Government has the floor. It is in its hands to stop using the topic of terrorism for political purposes and to put an end the unfair and groundless inclusion of Cuba on the list of countries that supposedly sponsor terrorism.

Cuba reiterates its willingness to make a more detailed presentation on these questions before the Counter-Terrorism Committee or submit to it any additional information or clarification considered necessary. Double standards cannot prevail. It will be impossible to eliminate terrorism so long as some terrorist acts are condemned and others are covered up, tolerated or justified. As in the past, Cuba will continue to strictly abide by the provisions of Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004) and to cooperate with the subsidiary bodies established pursuant to them.

The President: I now give the floor to the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): I draw the attention of the Council to a fuller version of our statement that has been distributed in the Chamber. I shall limit my comments to the renewal of the sanctions regime against Al-Qaida and the Taliban later this year.

Efforts to improve the effectiveness and perceived legitimacy of this important tool in the fight against terrorism are important. We have, therefore, for a number of years now, worked together with other States on this issue. We endorse the statement that will be made later during this debate on behalf of the group of like-minded countries by the representative of the Netherlands. We also recall the discussion paper submitted by the Group in May 2008. The proposal contained therein regarding the establishment of a panel of experts to advise sanctions committees on requests for de-listing remains as relevant as ever.

We appreciate the progress made by the 1267 Committee through its review process and other improvements brought about by resolution 1822 (2008), and we applaud your leadership, Ambassador Mayr-Harting, in this respect. Nevertheless, the lack of independent elements in the review and in the de-listing procedure continues to cause concern

regarding the fairness of the regime, as evidenced in various legal proceedings cited in the tenth report of the Analytical Support and Sanctions Monitoring Team (see S/2009/502).

A review panel, as proposed by the group in May 2008, could be a good way to address these concerns, but we are not wedded to any terminology or any specific institutional solution. There can certainly be different ways to achieve the goal of safeguarding standards of due process and addressing legal challenges that are potentially detrimental to the authority of the Council.

With regard to the working paper drawn up by a group of like-minded countries, I would like to highlight two important substantive areas. First, any future mechanism for de-listing should improve the possibility for the applicant to be effectively heard and, in particular, to respond to and refute allegations on which the listing is based. That requires a more substantive and more interactive dialogue between the applicants and the mechanism than that which is currently taking place through the focal point process. The procedure should be designed in such a manner that the mechanism can receive all relevant information, including confidential information, from the designating and other cooperating States, as well as from other sources. In order to enable the mechanism to satisfy the confidentiality conditions set out by a State, it may be necessary, on a case-by-case basis, to allow direct interaction between the mechanism and the capital-based authorities of that State. Finally, it is crucial that the mechanism be in a position to present its own findings and recommendations to the Committee.

Secondly, recent legal developments point to the need to treat de-listing requests that enjoy the support of the designating State with particular priority. States that present names for listing currently assume the risk that subsequent developments that would warrant de-listing will not be honoured by the Committee and that the continued listing will be perceived as the continued responsibility and fault of that State. Where designating States revoke their support for a listing, the entry loses its original justification and should be automatically removed, except, of course, where the Committee, on the basis of a new designation by a different State, confirms the entry.

What transpires from the latest report submitted by the Monitoring Team and from other sources is the need for the Council to address the issue of fair and clear procedures head-on. The uncertainties about whether the future reform will fully satisfy the multitude of actors that have weighed in on the subject in recent years do not justify inaction. The practical challenge of sharing confidential information, which may make a future mechanism less than perfect, can also not justify inaction but requires creative engagement and thinking. The argument that sanctions are preventive rather than punitive in nature — in itself a questionable statement — can equally not dispel the need for fair procedures.

The fairness of sanctions procedures has to be measured in relation to the impact that such measures have on the targets. By design and with good reason, sanctions are intended to hit the targeted individuals hard in order to prevent them from engaging in terrorist activities and support. Any person so targeted, rightly or wrongly, by the Security Council experiences a massive interference in his or her rights. That fact alone warrants procedures that give the listed persons or entities the equivalent level of protection against the continuation of unjustified listings that would be required from any State in its autonomous listing system in implementation of resolution 1373 (2001).

We have high expectations regarding the ongoing reform process and we stand ready to contribute to it, including through individual or collective engagement with Security Council members.

The President: There are a number of speakers remaining on my list for this meeting. I intend, with the concurrence of the members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.15 p.m.